

Sir: We, your Committee on Criminal Jurisprudence to whom was referred S. B. No. 528,

Have had the same under consideration, and beg to report back with recommendation that it do pass and be not printed, as same is a local bill.

STONE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 680, A bill to be entitled "An Act regulating the use of State owned motor vehicles by employees of State Departments, Bureaus, Commissions, Institutions and Agencies in political campaigns; providing said cars may not be used except for carrying out business of the State; providing any one violating the provisions of this Act shall be dismissed from the State's employ; providing no employee of the State shall campaign or solicit votes in any manner whatever for the head of his Department or any other candidate seeking public office; providing no car may be used for the personal or family use of an employee; fixing penalties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

STONE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Civil Jurisprudence Held April 30, 1935.

Called Meeting.

Present: Small, Hill, Hornsby, Moore, Rawlings, Shivers, Van Zandt, Collie.

Absent—Excused: Blackert, Davis, Fellbaum, Hopkins, Oneal, Redditt, Westerfeld.

S. B. No. 527 was reported favorably by viva voce vote.

S. B. No. 409 was reported favorably by viva voce vote.

H. B. No. 394 was reported favorably by viva voce vote.

H. B. No. 645 was reported favorably by viva voce vote.

H. B. No. 552 was reported favorably by viva voce vote.

H. B. No. 835 was reported favorably by viva voce vote.

H. B. No. 726 was reported favorably by viva voce vote.

H. B. No. 711 was reported favorably by viva voce vote.

H. B. No. 420 was reported favorably by viva voce vote.

H. B. No. 783 was reported favorably by viva voce vote.

H. B. No. 968 was reported favorably by viva voce vote.

H. B. No. 959 was reported favorably by viva voce vote.

H. B. No. 925 was reported favorably by viva voce vote.

H. B. No. 201 was reported favorably by viva voce vote.

S. B. No. 518 was reported favorably by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 3, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

H. C. R. No. 94.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. McConnell:

H. C. R. No. 94, Asking Federal Government and State Government to cooperate in projects to help drought stricken areas.

Read and adopted by viva voce vote.

H. C. R. No. 98.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Reed of Bowie:

H. C. R. No. 98, Requesting establishment of C. C. C. camps along the Sulphur River.

Senator Beck moved the adoption of the committee amendments.

The committee report recommending that the resolution be not printed was adopted by unanimous consent.

The committee amendments were adopted.

H. C. R. No. 98 as amended was adopted.

S. C. R. No. 51.

Senator Oneal sent up the following resolution:

Whereas, The Congress of the United States of America has imposed a tax upon all sales of gasoline; and

Whereas, The State of Texas and every other state of the United States has already imposed taxes upon such sales; and

Whereas, The Federal tax on such sales is untimely and prohibitive and, coupled with the respective state taxes on such sales, places a burden upon the users of gasoline beyond that which they should carry and beyond that which the traffic can legitimately bear; and

Whereas, The legislatures of nineteen states now or recently in session have memorialized Congress to repeal the Federal Gasoline Tax Law; and

Whereas, The taxation of sales of gasoline should properly be left to the exclusive use of the states as a means of providing funds for road construction and maintenance, now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring therein, That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed such legislation as may be necessary to abolish the Federal gasoline sales tax and to surrender to the states exclusively the power to tax such sales in the future, and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, and to each member of Congress elected from the State of Texas and that the latter be urged to use his best offices to procure the enactment of such legislation as will accomplish the purposes of this resolution.

ONEAL.

Read.

Senator Oneal asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 51 be taken up and considered at this time.

Objection was heard.

Senator Oneal moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 51 be taken up and considered at this time.

Motion to Table.

Senator Sanderford moved to table the motion.

The motion to table lost by the following vote:

Yeas—5.

Beck.	Sanderford.
Martin.	Woodruff.
Rawlings.	

Nays—21.

Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
DeBerry.	Regan.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Moore.	

Absent.

Davis.	Redditt.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum.

The motion by Senator Oneal prevailed by viva voce vote.

Motion to Table.

Senator Woodruff moved to table S. C. R. No. 51.

The motion to table the resolution lost by viva voce vote.

S. C. R. No. 51 was adopted by viva voce vote.

Presentation.

On behalf of a "forgotten man" Senator Burns presented to Lieutenant Governor Walter F. Woodul a gavel made from the wood off the Eastham State Prison Farm.

Senator Woodul made a brief speech of acceptance.

Senate Bill No. 17.

On motion of Senator Collie, the Senate refused to concur in House amendments to S. B. No. 17 and asked for the appointment of a conference committee to adjust the differences between the two Houses.

Conference Committee Appointed.

The Chair announced the following conference committee on the part of the Senate on S. B. No. 17:

Senators Collie, Poage, Oneal, Burns and Cotten.

House Bill No. 749.

Pending business was H. B. No. 749.

The question recurred on the adoption of the pending amendment by Senator Rawlings.

Pending.

Senator Rawlings yielded to Senator Beck for a privileged motion.

Senate Bill No. 146.

Senator Beck sent up the following Conference Committee report:

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate,

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on S. B. No. 146, have had the same under consideration, and we recommend that said bill be passed in the form as attached hereto.

BECK,
MARTIN,
POAGE,
RAWLINGS,
COLLIE,

On the part of the Senate

GRAVES,
JONES,
of Atascosa.
KNETSCH,
PETSCH,

On the part of the House.

S. B. No. 146.

A BILL

To Be Entitled

An Act to create the Department of

Public Safety of the State of Texas; and the Public Safety Commission; providing for the appointment of members of the Public Safety Commission and for the organization of the Commission and of the Department; and fixing the expense allowance of the Commissioners; providing for the appointment of a Director of the Department of the Public Safety Commission and an assistant director and prescribing the duties and powers of the Director of the Public Safety Commission; providing for the appointment, promotion and discharge of all officers and employees of the Department of Public Safety; providing for the number of rangers that may be appointed by the Department of Public Safety; providing for the transfer of the Texas ranger force from the Adjutant General's Department to the Department of Public Safety; providing for the appointment of special rangers not to exceed three hundred; providing that not more than ten special ranger commissions may be issued to any person, firm or corporation except in emergencies; prescribing the duties of special rangers that are appointed by the Commission; providing for an increase of twenty-six privates in the State Highway Motor Patrol; providing for the transfer of the State Highway Motor Patrol of Texas from the State Highway Department to the Department of Public Safety; creating divisions and bureaus within the said Department; defining the powers, duties and functions of the Commission and the Department, and its various divisions and bureaus and co-ordinating them; providing for the cooperation of the State owned educational institutions, and all State officers and departments, and all county and municipal law enforcement officers and agencies with the Department; providing personnel, buildings, quarters, equipment, and appropriations for the Department; fixing the terms of office, methods of appointment, promotion, reduction, suspension and discharge of the officers and employees of the Department; providing for the transfer of pending business and the transfer of funds; providing for the Governor of the State of

Texas to command the Department in times of public emergency; providing for the issuance of commissions of all law enforcement members of the Department; repealing all laws and parts of laws in conflict herewith, and appropriating moneys to put this Act into force and effect; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and for other purposes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Creation of the Department of Public Safety: There is hereby created a Department of Public Safety of the State of Texas, hereinafter designated as "the Department," in which is vested the enforcement of the laws protecting the public safety and providing for the prevention and detection of crime. The Department shall have its principal office and headquarters in the City of Austin, where all of its records shall be kept.

Sec. 2. Creation of the Public Safety Commission: The control of the Department is hereby vested in the Public Safety Commission, hereinafter designated as "the Commission," which Commission shall consist of three citizens of this State. The Governor shall, within thirty days after this Act shall take effect, appoint the members of the Commission by and with the advice and consent of the Senate to hold office until December 31, 1935, and they shall constitute the Public Safety Commission; and on the 1st day of January, 1936, the Governor shall appoint one member to hold office for two years, one for four years, and one for six years, and at the end of every two years thereafter the Governor shall in like manner, by and with the advice and consent of the Senate of the State of Texas, appoint one citizen of Texas as the successor of the member of the Commission whose term shall expire in that year, to serve as such member of six years and until his successor is appointed and qualified. The Commission shall elect annually one member of the Commission to serve as Chairman thereof. Two members of the Commission shall constitute a quorum. In the event of a vacancy occurring on said Commission, the

Governor shall appoint a new member of the Commission to fill the said vacancy for such unexpired term, such appointment to be subject to the advice and consent of the Senate of the State of Texas, at the next session thereof. The members of the Commission shall be selected because of their peculiar qualifications fitting them for these positions. In the appointment of the members of the Commission, the following qualifications among others shall be observed: Knowledge of law; experience in the enforcement of law; honesty, integrity; education, training and executive ability. They shall serve without compensation, but shall be entitled to receive Ten (\$10.00) Dollars per day as an expense account and necessary mileage in the performance of their duties, such expense allowance shall not exceed Five Hundred (\$500.00) Dollars annually for each member.

Sec. 3. Organization of the Commission: The Commission shall meet at such time and places as they may provide for by rules or as the chairman or any two members may call.

Sec. 4. Duties and Powers of the Commission:

(1) The Commission shall formulate plans and policies for the enforcement of the criminal laws and of the traffic and safety laws of the State, the prevention of crime, the detection and apprehension of violators of the laws, and for the education of the citizens of the State in the promotion of public safety and law observance.

(2) It shall organize the Department and supervise its operation; it shall establish grades and positions for the Department, and for each grade and position it shall designate the authority and responsibility within the limits of this Act. For each such grade and position so established, the Commission shall set standards of qualifications and shall fix prerequisites of training, education and experience, and shall make necessary rules and regulations for the appointment, promotion, reduction, suspension and discharge of all employees after hearings before the said Commission; that any officer or employee of the said Department who shall be discharged shall upon application to the Commission be entitled to a public hearing before said Commission and the Commission shall determine whether such discharge shall be affirmed or set aside.

All persons inducted into the service of the Department shall be considered on probation for the first six months and at any time during such period they may be discharged if found to be unsuitable for the work by the director, with the advice and consent of the Commission, and, if so discharged, such persons shall not be entitled to the public hearings hereinabove provided for.

(3) The Commission shall establish and make public proclamation of all rules and regulations for the conduct of the work of the Department as may be deemed necessary and as may not be inconsistent with the provisions of this Act or of the laws of the State.

(4) The Commission shall maintain records of all proceedings and official orders.

(5) The Commission shall biennially submit a report of its work to the Governor, and the Legislature, with its recommendations and those of the Public Safety Director. A quarterly statement containing an itemized list of all moneys received, and from what sources received, and all moneys expended and for what purposes expended, shall be prepared by the Director sworn to and filed in the records of the Department and a copy shall be sent to the Governor.

Sec. 5. The Commission shall appoint a Public Safety Director hereinafter designated as the "Director" who shall be a citizen of this State and who shall hold his position until removed by the Commission. The Commission shall also appoint an Assistant Director who shall perform such duties as may be designated by the Director. The Director and Assistant Director shall be selected on the basis of training, experience and qualifications for said positions and shall have at least five years experience, preferably police or public administration; and, the Director shall draw an annual salary as fixed by the Legislature not to exceed Four Thousand Two Hundred (\$4,200.00) Dollars, and the Assistant Director shall receive an annual salary not to exceed Three Thousand (\$3,000.00) Dollars, said salaries to be paid monthly. The Director shall be directly responsible to the Commission for the conduct of all the affairs of the Department.

Sec. 6. Duties and Powers of the Director:

(1) The Director shall act with the Commission in an advisory capa-

city, without vote, and shall quarterly, annually and biennially submit to the Commission detailed reports of the operation of the Department and statements of its expenditures.

(2) He shall be the executive officer of the Department, and subject to the approval of the Commission and to the provisions of this Act, he shall have authority to appoint, promote, reduce, suspend and discharge all officers and employees of the Department. He shall issue and sign requisition as provided by law for the purchase of supplies for the office and officers of the Department, suitable uniforms, arms and equipment; and make such rules and regulations, subject to the approval of the Commission, as are deemed necessary for the control of the Department.

Sec. 7. Authority to Issue Commissions: The Director, under the direction of the Commission, shall issue commissions as law enforcement officers to all members of the Texas Rangers, to all members of the Texas Highway Patrol, and to such other officers of the Department as may be employed by the said Department.

Sec. 8. Appointment of Division and Bureau Chiefs: The Senior Captain of the Texas Rangers shall be Chief of the Bureau of Intelligence; the Chief of the Highway Motor Patrol shall be Chief of the Bureau of Communications; the Assistant Director of the Department of Public Safety shall be Chief of the Bureau of Education; the Chief of the Bureau of Identification and Records shall be appointed by the Director of the Department of Public Safety with the consent of the Commission.

Sec. 9. Appointment, Promotions, and Discharges:

(1) The appointment and promotion of all officers and employees, shall be made on the basis of merit, to be determined by examination under the rules and regulations of the Commission which shall take into consideration the age, physical condition, experience and education of the applicant. All persons who have applications on file for any position in the Department shall be given reasonable written notice of the place and time where said examinations are to be held.

(2) All applicants for positions in the Department shall be citizens of the United States of America, and shall have been bona fide residents

of the State of Texas for a period of not less than one year immediately prior to the filing of the application. No applicant for a position in the Department shall be questioned at any time as to his religious faith or beliefs, or as to his political affiliations. No person in the Department shall contribute any money or other thing of value for political purposes, nor shall any person in the Department engage in political activities or campaign for or against any candidate for any public office in this State. Any person violating any provision of this subsection shall forfeit his position with the Department.

(3) No officer or employee of the Department shall be discharged without just cause. The Director shall determine whether or not the officer or employee be discharged; and in case he is ordered discharged, he shall have the right to appeal to the Commission; during such appeal, he shall be suspended without pay.

(4) The Chiefs of the several Divisions and Bureaus, after due investigation, shall once each six months make report to the Commission of the efficiency of each employee within such Division or Bureau. These reports shall be kept in the permanent files of the Commission, and shall be given proper consideration in all matters of promotion and discharge.

Sec. 10. Department Divisions: The Department shall be composed of three divisions; i. e: (a) The Texas Rangers; (b) The Texas Highway Patrol; and (c) The Headquarters Division, and such other divisions as the Commission may deem necessary.

Sec. 11. The Texas Rangers:

(1) The Texas Ranger Force and its personnel, property, equipment and records, now a part of the Adjutant General's Department of the State of Texas, are hereby transferred to and placed under the jurisdiction of the Department of Public Safety, and are hereby designated as the Texas Rangers, and as such, constitute the above mentioned division of the Department.

(2) The Texas Rangers shall consist of one headquarters company and not to exceed two companies of mounted men, except in cases of emergency when the Commission, with the consent of the Governor, shall have authority to increase the force to meet extraordinary conditions.

The headquarters company shall consist of one captain, who shall be designated as the senior captain of the Texas Rangers, and who shall be the executive officer and in command of that division; one sergeant, and not to exceed four privates and one stenographer.

Each separate mounted company shall consist of not to exceed one captain, one sergeant, and fifteen privates.

There shall be a quartermaster for the division, who shall discharge the duties of quartermaster, commissary and pay-master, and who shall have the rank and pay of a captain.

(3) The compensation of the officers shall be such as allowed by the Legislature.

(4) The officers shall be clothed with all the powers of peace officers, and shall aid in the execution of the laws.

They shall have authority to make arrests, and to execute process in criminal cases; and in civil cases when specially directed by the judge of a court of record; and in all cases shall be governed by the laws regulating and defining the powers and duties of sheriffs when in the discharge of similar duties; except that they shall have the power and shall be authorized to make arrests and to execute all process in criminal cases in any county in the State. All officers operating by virtue of this Act shall have the authority to make arrests, as directed by warrants, and without a warrant under the conditions now authorized by law, and also in all cases when the alleged offender is traveling on a railroad, in a motor vehicle, aeroplane or boat. When any of said force shall arrest any person charged with a criminal offense, they shall forthwith convey said person to the county where he so stands charged, and shall deliver him to the proper officer, taking his receipt therefor. All necessary expenses thus incurred shall be paid by the State.

(5) Special Rangers: The Commission shall have authority to appoint such number of special rangers as may be deemed advisable, not to exceed Three Hundred (300) in number; such rangers shall not have any connection with any Ranger Company or Highway Motor Patrol, but they shall at all times be subject to the orders of the Commission and the Governor for special duty to the same extent as the other law enforce-

ing officers provided for in this Act; such special rangers, however, shall not have the authority to enforce any laws excepting those designed to protect life and property, and such rangers are especially denied the authority to enforce any laws regulating the use of the State highways by motor truck and motor buses and other motor vehicles. Such rangers shall not receive any compensation from the State for their services, and before the issuance of the commission each such ranger shall enter into a good and sufficient bond executed by a Surety Company authorized to do business in Texas in the sum of Twenty Five Hundred (\$2,500.00) Dollars, approved by the Director indemnifying all persons against damages accruing as the result of any illegal or unlawful acts on the part of such special ranger. All special ranger commissions shall expire on January 1st of the odd year after appointment, and the Director can revoke any special ranger commission at any time for cause, and such officer shall be designated in the Commission as Special Ranger.

Provided further that the Commission shall not issue more than ten commissions to special rangers for employment by any one person, firm or corporation at any one time, except during an emergency, when in the opinion of the Commission it is necessary in the interest of the public justice to permit the employment of more than ten.

(6) In the execution of the laws of the State under the Department of Public Safety, the officials shall in all cases where it becomes necessary to seize property and destroy the same, to proceed as now provided by law; and all property so seized shall be stored and a list thereof presented to a District Judge in the District where such property is seized, who shall dispose of same in the mode and manner now provided by Articles Nos. 5112, 5113 and 5114, Revised Civil Statutes 1925.

Any official disregarding these provisions shall by virtue thereof be subject to removal from office.

Sec. 12. The Texas Highway Patrol:

(1) The State Highway Motor Patrol of Texas and its personnel, property, equipment and records, now a part of the Highway Department of the State of Texas, are hereby transferred to and placed under the jurisdiction of the De-

partment of Public Safety, and are hereby designated as the Texas Highway Patrol, and as such constitute the above mentioned division of the Department.

(2) The Texas Highway Patrol Division shall consist of a chief patrol officer, who shall be the executive officer of the patrol, five inspectors, one hundred forty privates, and such clerical help as may be determined by the Commission.

(3) The compensation of the officers shall be such as allowed by the Legislature.

(4) The officers, non-commissioned officers and enlisted men of the Texas Highway Patrol shall be, and they are hereby clothed with all the powers and authority which they now have and exercise as members of the State Highway Motor Patrol of Texas, and their duties and functions shall be the same as the duties and functions they are now performing. In addition they shall be, and they are hereby clothed with all the powers and authority which is in this Act or otherwise by law given to members of the Texas Ranger force.

Sec. 13. The Headquarters Division: There is hereby created, as an integral part of the Department, a Headquarters Division, consisting of the Bureaus of Identification and Records, Communications, Intelligence and Education. With the advice and consent of the Commission, the Director shall employ such chiefs, experts, operators, instructors and assistants as may be necessary for the operation of this Division and the several Bureaus therein.

Sec. 14. The Bureau of Identification and Records:

(1) It shall be the duty of the Director to appoint, with the advice and consent of the Commission, a Chief of the Bureau of Identification and Records, who shall be the executive officer. The Chief of the Bureau, and at least one assistant shall be recognized identification experts, and with at least three years' actual experience. This Bureau shall procure and file for record, photographs, pictures, descriptions, fingerprints, measurements and such other information as may be pertinent, of all persons who have been or may hereafter be convicted of a felony within the State,

and also of all well known and habitual criminals wheresoever the same may be procured. The Bureau shall collect information concerning the number and nature of offenses known to have been committed in this State, of the legal steps taken in connection therewith, and such other information as may be useful in the study of crime and the administration of justice. It shall be the duty of the Bureau to cooperate with the bureaus in other states, and with the Department of Justice in Washington, D. C. It shall be the duty of the Chief of the Bureau to offer assistance, and when practicable, instruction, to sheriffs, chiefs of police, and other peace officers in establishing efficient local bureaus of identification in their districts.

(2) The Bureau shall make ballistic test of bullets and firearms, and chemical analyses of blood-stains, cloth, materials and other substances, for the officers of the State charged with law enforcement.

Sec. 15. The Bureau of Communications:

(1) The Chief of the Highway Motor Patrol shall, in addition to his other duties, be Chief of the Bureau of Communication, and shall be qualified in the supervision and operation of a radio broadcasting system and in the use of teletypewriter machines and other modern means of communication.

(2) This Bureau may, when funds are provided, install and operate a police radio broadcasting system for the broadcasting of information concerning the activities of violators of the law, and for the directing of the activities and functions of the law enforcement agencies of the State, the counties and the municipalities. It shall cooperate with county and municipal police authorities and with police radio stations, in this State and in other states.

(3) The Bureau shall establish and operate a State Roads Blockade System, in coordination with State, county and municipal law enforcement agencies.

(4) This Bureau shall provide for the rapid exchange of information, concerning the commission of crimes and the detection of violators of the law, between the law enforcement agencies of this State, its counties

and municipalities and other states and the national government.

Sec. 16. The Bureau of Intelligence:

(1) The Senior Captain of the Texas Rangers, in addition to his other duties, shall be Chief of the Bureau of Intelligence and shall be qualified in obtaining information and intelligence of crime and in modern police detective work.

(2) This Bureau shall, with the aid of the other Divisions and Bureaus of the Department, accumulate and analyze information of crime activities in the State, and shall make such information available for the use of the Department and of county and municipal police and law enforcement agencies.

(3) It shall aid in the detection and apprehension of violators of the law.

Sec. 17. The Bureau of Education:

(1) The Assistant Director of the Department of Public Safety, in addition to his other duties, shall be Chief of the Bureau of Education, and shall organize schools for the members of the Department and other peace officers and shall give instruction in such schools, and he shall have had substantial experience in law enforcement work and in the instructing of law enforcement officers.

(2) This Bureau shall establish and operate schools for the training of the personnel of the Department in their respective duties and functions.

(3) This Bureau shall establish and operate schools for the training of county and municipal police officers who have been selected to attend such schools by the authorities of the law enforcement agencies by which they are employed.

(4) A comprehensive plan shall be established and carried out for the education of the citizens of this State in matters of public safety and crime prevention and detection.

(5) The Adjutant General shall provide suitable buildings, land and State owned equipment located in Camp Mabry, Austin, Texas, for the use of this Bureau in the conduct of its training schools.

Sec. 18. Establishment of District Headquarters:

The Commission may establish district headquarters and stations at various places in the State, with the personnel and equipment necessary for the proper functioning and operation thereof.

Sec. 19. Law Enforcement Officers Shall Be Associate Members: The sheriffs and constables of the several counties in this State, and the chiefs of police of all incorporated municipalities, are hereby made associate members of the Department, and are entitled to all rights and privileges granted to them by the Department.

Sec. 20. Director May Call Upon Law Enforcement Officers for Assistance:

The director shall have the authority to call upon any sheriff or other police officer in any county or municipality within the limits of their respective jurisdictions, for aid and assistance in the performance of any duty imposed by this Act; and upon being notified or called upon for such aid and assistance, it shall be the duty of such officer concerned to comply with such order to the extent requested.

Sec. 21. Director Shall Provide for Cooperation: The Director, with the advice and consent of the Commission, shall formulate and put into effect plans and means of cooperating with the sheriffs and local police and peace officers throughout the State for the purpose of the prevention and discovery of crimes and the apprehension of criminals and the promotion of public safety; and it shall be the duty of all such local police and peace officers to cooperate with the Director in such plans. Every telegraph and telephone company and radio station operating within this State shall grant priority of service to the police agencies and to the Department of Public Safety, when notified that such service is urgent in the interests of the public welfare.

Sec. 22. State Supported Educational Institutions Shall Assist: The University of Texas and all other State supported educational institutions shall cooperate with the Department in carrying out the provisions of this Act, and shall aid and assist in the giving of instruction in the training schools conducted by the Bureau of Education, and shall

aid and assist the Bureau of Identification and Records in the making of such chemical tests and analyses as are necessary, and in the making of statistical analyses, charts and reports of law enforcement and violations of law; the nature and extent of such aid and assistance is to be agreed upon and arranged for by the Commission and the President of the educational institution called upon for such aid and assistance.

Sec. 23. State Officials and Departments Shall Assist: The Attorney General of the State of Texas, the Highway Department, the Public Health Department and all other departments of the government of the State of Texas shall cooperate with the Department of Public Safety in the execution of the provisions of this Act and in the enforcement of the laws of the State concerning crime prevention and detection and the public safety. The Board of Control is hereby directed to provide suitable quarters for the Department of Public Safety in the basement of the Land Office Building until more suitable quarters are available.

Sec. 24. When the Governor Shall Command the Department: Upon the occurrence of a public disaster, riot, or insurrection, or the formation of a dangerous resistance to the enforcement of the law, or for the purpose of performing his constitutional duty to cause the laws to be enforced, the Governor of this State shall have the authority to assume the command of and direct and activities and functions of the Commission and of the Department during the existence of such emergency or necessity. In the event that the Governor of this State shall take such action, he shall first use the officers and personnel of the Department other than the Texas Highway Patrol and the said Patrol shall so be called upon or diverted from its regular duties only in the event that the Department is otherwise unable to cope with the emergency.

Sec. 25. State Shall Provide Necessary Buildings, Equipment, Et Cetera: The State of Texas shall provide the necessary buildings, offices and quarters for the Department and its officers and employees in the City of Austin, Texas, and in such other places in the State as district

headquarters shall be established, and it shall also provide for the equipment of the Department and the Divisions, bureaus and branches thereof, with the furniture, fixtures, automobiles, motorcycles, horse, firearms, ammunition, uniforms, appliances and materials necessary to the proper functioning and operation thereof.

Sec. 26. Provisions for Transfer of Funds and Appropriations: For the purpose of carrying out the provisions of this Act, there is hereby transferred to the credit of an account to be designated and known as the Department of Public Safety of the State of Texas, any moneys in the General Fund credited to the Texas Ranger Force of the Adjutant General's Department, the Highway Motor Patrol Division of the Highway Department of the State of Texas for the remainder of the biennium commencing on the effective date of this Act, and there is hereby appropriated out of the General Revenue of this State the additional sum of Five Thousand (\$5,000.00) Dollars for the purpose of carrying out the provisions of this Act for the biennium ending August 31, 1935, and thereafter by moneys to be appropriated by the Legislature of the State of Texas. All appropriations for the Texas Highway Patrol shall be made by the Legislature from and out of the State Highway Fund.

Sec. 27. Provisions for Transfer of Pending Business: All matters and orders pending before or made by any officer or department or unit transferred under this Act to this Department, shall be deemed to be continued with like status in such Department.

Sec. 28. Provision in Event of Unconstitutionality of a Portion of This Act: Should any section or provision of this Act be held to be unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of the Act as a whole, or any part thereof, other than the portion so held to be invalid. The Legislature hereby declares that it would have passed this Act had such part been omitted.

Sec. 29. Repeal of Inconsistent Laws: All laws or parts of laws inconsistent or conflicting with the

provisions of this Act are hereby repealed.

Sec. 30. Declaring an emergency:

The fact that under existing law there is no coordination of control of the several law enforcement agencies and departments of the State, and there is no central department providing for the obtaining and filing of criminal identifications and records and for the coordination of law enforcement agencies, and there is no law providing for the coordination of the State, county and municipal law enforcement officers, and the further fact that due to the lack of such control, coordination and the lack of such department, much waste and inefficiency in the law enforcement activities of the State results, and the further fact that crime is highly organized in this State and existing agencies for law enforcement are not capable of fully enforcing the laws of the State, creates an emergency and an imperative public necessity, that the constitutional rule requiring that bills be read on three several days in each House, and the further constitutional rule as to the time when laws take effect, be suspended, and each of them is hereby suspended, and this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted.

On motion of Senator Beck the Conference Committee report on S. B. No. 146 was adopted by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Woodruff.
Moore.	

Nays 1.

Westerfeld.

Absent—Excused.

Fellbaum.

House Bill No. 749.

Senator Rawlings sent up the following amendment to the pending amendment:

Amend H. B. No. 749, page 11, line 58, by striking out the words and figures "30 gallons of" and inserting in lieu thereof the following: "75 gallons of."

RAWLINGS.

Adopted.

The pending amendment as amended by Senator Rawlings was adopted by viva voce vote.

Amend H. B. 749 by adding after the word "vehicle" in line 58, page 11, the following: provided that no motor vehicle operating under a non-resident ownership or registration shall transport more than thirty (30) gallons of motor fuel in fuel tank feeding to the carburetor of such vehicle.

WOODRUFF.

Read and adopted.

Amend H. B. No. 749, page 9, Section 12, Subsection (c) by adding after the word "State" on line 58, the following:

"If, after sale is made it is later established in a court of competent jurisdiction that the confiscation and sale was illegal, the sheriff or constable responsible for the sale shall be liable in damages for twice the value of the fuel sold, all costs and attorneys fees, provided said attorney's fees shall not exceed 33 1/3 per cent of the amount accrued."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—15.

Beck.	Redditt.
Blackert.	Regan.
Collie.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hornsby.	Stone.
Isbell.	Woodruff.
Moore.	

Nays—7.

Burns.

Cotten.

DeBerry.

Hill.

Martin.

Van Zandt.

Westerfeld.

Present—Not Voting.

Oneal.

Poage.

Absent.

Davis.

Hopkins.

Neal.

Pace.

Rawlings.

Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749, Section 12, Subsection (c) by adding a new paragraph to read as follows:

"Nothing contained in this section shall be in any particular enforced in such a manner as to contravene Article 1, Section 9 and 19 of the Constitution of Texas."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—12.

Blackert.

Collie.

Duggan.

Holbrook.

Hornsby.

Isbell.

Redditt.

Regan.

Sanderford.

Shivers.

Small.

Woodruff.

Nays—9.

Burns.

Cotten.

DeBerry.

Hill.

Martin.

Rawlings.

Stone.

Van Zandt.

Westerfeld.

Present—Not Voting.

Oneal.

Pace.

Poage.

Absent.

Beck.

Davis.

Hopkins.

Moore.

Neal.

Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749 by adding on page 10, line 4 the following after the word "fact":

"Provided, however, all fees collected hereunder shall be accounted for as fees of office."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—14.

Blackert.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Neal.	Woodruff.

Nays—11.

Burns.	Oneal.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Van Zandt.
Hill.	Westerfeld.
Isbell.	

Present—Not Voting.

Pace.

Absent.

Beck.	Martin.
Davis.	Sulak.

Absent—Excused.

Fellbaum.

Amend by adding a new paragraph to read as follows:

"The fees collected hereunder shall not be accounted for as fees of office."

HILL.

Read.

Motion to Table.

Senator Van Zandt moved to table. The motion prevailed by viva voce vote.

Vote Recorded.

Senator Hill asked to be recorded as voting "yea" on motion to table.

Amend H. B. No. 749 by adding on line 4, page 10, the following:

"Provided, however, none of the officers empowered to enforce the provisions of this section shall enforce the forfeiture provisions herein unless and until they shall have posted a surety bond with the county clerk of the county of their residence in the sum of Five Thousand Dollars (\$5000.00) to indemnify the owner of any product illegally confiscated or detained."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—14.

Collie.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Neal.	Stone.
Oneal.	Woodruff.

Nays—10.

Burns.	Moore.
Cotten.	Pace.
DeBerry.	Poage.
Hill.	Rawlings.
Martin.	Westerfeld.

Present—Not Voting.

Blackert.	Van Zandt.
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Absent.

Beck.	Hopkins.
Davis.	Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749, page 9, Section 12, subsection (c), line 29 by striking out the words "excepting railroads and pipe lines."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—15.

Blackert.	Duggan.
Cotten.	Holbrook.

Hornsby.	Regan.
Isbell.	Sanderford.
Moore.	Shivers.
Neal.	Small.
Pace.	Woodruff.
Redditt.	

Nays—10.

Burns.	Oneal.
Collie.	Poage.
DeBerry.	Rawlings.
Hill.	Sulak.
Martin.	Westerfeld.

Absent.

Beck.	Stone.
Davis.	Van Zandt.
Hopkins.	

Absent—Excused.

Fellbaum.

Amend by adding a new paragraph as follows at the end of the bill:

"The Journal of the Senate shall be considered by the courts in determining the legislative intent as represented by this bill.

HILL.

Read.

Point of Order.

Senator Woodruff raised the Point of Order that the amendment was not germane to the bill.

The Chair sustained the Point of Order.

Amend H. B. No. 749, page 6, Section 6 by adding after the word "if" in line one, the following: "As much as 10%."

MARTIN.

Read.

Motion to Table.

On motion of Senator Woodruff, the amendment was tabled.

Amend H. B. No. 749, page 6, Section 6, by adding after the word "if," line one, the following:

"Any substantial amount of"

MARTIN.

Read.

Motion to Table.

On motion of Senator Woodruff the amendment was tabled by the following vote:

Yeas—13.

Beck.	Neal.
Blackert.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Isbell.	Woodruff.
Moore.	

Nays—12.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Stone.
DeBerry.	Sulak.
Hill.	Van Zandt.
Martin.	Westerfeld.

Present—Not Voting.

Oneal.

Absent.

Davis.	Poage.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 749 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Woodruff.
Neal.	

Nays—2.

Hill.	Westerfeld.
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Absent.

Davis.

Absent—Excused.

Fellbaum.

Amend the caption to conform to the body of the bill.

WOODRUFF.

Read and adopted.

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Neal.
Blackert.	Oneal.
Collie.	Pace.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Woodruff.
Moore.	

Nays—7.

Burns.	Rawlings.
Cotten.	Sulak.
Hill.	Westerfeld.
Poage.	

Absent—Excused.

Fellbaum.

Senate Bill No. 42.

On motion of Senator Rawlings, the Senate refused to concur in House amendments to S. B. No. 42 and requested the appointment of a conference committee.

Conference Committee Appointed.

The Chair appointed as conferees on S. B. No. 42 the following: Senators Rawlings, Small, Hopkins, Van Zandt, and Cotten.

Senate Bill No. 341.**Motion to Concur.**

On motion of Senator Rawlings, the Senate concurred in House amendments to S. B. No. 341 by the following vote:

Yeas—29.

Beck.	Davis.
Blackert.	DeBerry.
Burns.	Duggan.
Collie.	Holbrook.
Cotten.	Hopkins.

Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.

Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Nays—1.

Hill.

Absent—Excused.

Fellbaum.

H. J. R. No. 5.

The Chair laid before the Senate on its third reading the following resolution:

By Mr. Reed et al:

H. J. R. No. 5, Proposing an amendment to Section 1a of Article VIII of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed taxable value of all residence homestead as now defined by law, from all State, county, city, town, district, and other political subdivision purposes, etc.

Pending.

Senator Moore was recognized for a privileged motion.

S. J. R. No. 14.**Motion to Concur.**

On motion of Senator Moore, the Senate concurred in House amendments to S. J. R. No. 14 by the following vote:

Yeas—24.

Beck.	Neal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—6.

DeBerry.	Oneal.
Hill.	Poage.
Isbell.	Sulak.

Absent—Excused.

Fellbaum.

Motion to Recess.

Senator Poage, at 12:10 o'clock p. m., moved that the Senate recess until 2 o'clock p. m.

Motion pending.

House Bill No. 779.

Senator Shivers sent up the following conference committee report on H. B. No. 779.

Committee Room,
Austin, Texas, April 23, 1935.
Hon. Walter F. Woodul, President of
the Senate.

and

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sirs: We, your Conference Committee, to whom was referred H. B. No. 779, have had same under consideration, and we recommend to the House of Representatives and to the Senate, that said bill pass in the form attached hereto.

Respectfully submitted,

McKEE,
KNETSCH,
STANFIELD,
CANNON,
GRAVES,

On part of the House.

RAWLINGS,
STONE,
HOLBROOK,
BURNS,
HILL,

On part of the Senate.

A BILL**To Be Entitled**

An Act making available currently the funds now on hand and hereafter accruing to the Jack and Stallion Fund of the State Department of Agriculture under the terms of the Act of the Regular Session, Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, Page 32, providing for the drawing of warrants by the Comptroller and the payment of same by the State Treasurer in accordance with the provisions hereof and with the General Laws; providing that this Act shall not af-

fect the amounts appropriated or to be appropriated to the Jack and Stallion Fund of the State Department of Agriculture, or change the proportion of the proceeds of the Special Racing Fund accruing to said Jack and Stallion fund of the Department of Agriculture; providing that the purchasing of jacks and stallions shall be made by the Board of Control and providing for funds to pay such expenses; providing for the transfer of all monies in the State Department of Agriculture, Department Suspense Fund, Jack and Stallion Breeding Suspense Account, to the Special Racing Fund, for credit, to the Jack and Stallion Account; declaring the intent of this Act; and amending subsection 7, Chapter 166, Acts of the Forty-third Legislature, being House Bill No. 167, Pages 428-433, as amended by Chapter 10, Acts Forty-third Legislature, 1933 First Called Session, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the effective date of this Act, all funds now on hand and hereafter accruing to the benefit of the State Department of Agriculture out of the Special Racing Fund created under the terms and provisions of Acts of the Regular Session, Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, Page 32, shall become available to and for the use of the State Department of Agriculture as collected and deposited in State Treasury, in making expenditures currently out of the Jack and Stallion Fund for the purpose for which such Fund is created, as such funds accrue. The State Comptroller is hereby authorized and empowered to draw warrants upon said Special Racing Fund and the State Treasurer is hereby authorized and empowered to pay such warrants in accordance with the provisions of this Act and with the general provisions of law.

Sec. 2. Nothing in this Act shall be construed either to increase or diminish the amounts of the appro-

priations heretofore made, or hereafter to be made, for the operating expenses of the State Department of Agriculture. Nor shall this Act be construed in any manner to affect or change the proportion of the proceeds of the said Special Racing Funds allocated to the State Department of Agriculture, it being the purpose and intent of this Act merely to provide that the Jack and Stallion Fund of the State Department of Agriculture shall receive its proportionate share of said funds as same are collected and deposited with the State Treasurer and may be paid out currently only for the purpose hereinafter set forth.

Sec. 3. That sub-section 7, of Chapter 166, Acts of the Forty-third Legislature, 1933, being House Bill No. 167, Pages 428-433 of the Session Acts of the Forty-third Legislature as amended by Chapter 10, Acts of the First Called Session, Forty-third Legislature, 1933, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, be and the same is hereby amended to read as follows:

Sub-section 7. All Jacks and Stallions purchased for the State of Texas, under the terms and provisions of Acts of the Regular Session, 43rd Legislature, Chapter 163, Page 433, as amended Acts of the 43rd Legislature, First Called Session, Chapter 10, Page 32, shall be by and through the Board of Control, and shall be paid for by warrants drawn upon the Special Racing Fund from the Jack and Stallion Account, and the State Treasurer is hereby authorized and empowered to pay such warrants.

The titles of such animals so purchased shall be in the State of Texas. The Board of Control shall keep appropriate written records showing the price paid for each animal, from whom, and where purchased, and obtain a bill of sale for each animal purchased, showing the age and breeding of such animal. The Commissioner of Agriculture shall keep records of the location and the custodian from time to time of such animal. The Commissioner of Agriculture shall also procure from time to time a report from the County Agent or County Judge of the County where such animal is located, as to

the condition and the use made of such animal, and the number of colts foaled in the calendar year in that county.

For the service of such animals so distributed, the Commissioner of Agriculture is authorized to make a reasonable charge of not less than \$7.50 nor more than \$10.00 for colts foaled. The amounts so collected by the Commissioner of Agriculture shall be remitted, by him, through the State Comptroller to the State Treasurer in the Special Racing Fund, and shall be deposited to the credit of the Stallion and Jack Account, to be used by the Commissioner of Agriculture for the purchase, through the Board of Control, of additional stallions and jacks, and for the maintenance of all State owned stallions and jacks. Provided the Commissioner of Agriculture is hereby authorized to make refunds of such service charges when the animal served has not been foaled by such service, upon affidavit and due proof thereof being made to the Commissioner of Agriculture, and approved by the Board of Control, on such forms prescribed by the Commissioner of Agriculture. The Treasurer is hereby authorized to pay warrants drawn by the Comptroller upon such Jack and Stallion Account in The Special Racing Fund, upon vouchers issued therefor by the Commissioner of Agriculture and approved by the Board of Control. Immediately after the effective date of this Act, the Comptroller is commanded and empowered to transfer all monies, or cause to be transferred all monies held in the State Department of Agriculture Departmental Suspense Fund, Jack and Stallion Breeding fee Suspense Account, in the State Treasury, to the Special Racing Fund, to the credit of the Jack and Stallion Account.

The Commissioner of Agriculture shall adopt and carry out reasonable rules and regulations, with respect to the distribution, care, use and maintenance of such animals. All expenditures thus authorized shall be paid upon accounts approved by the Commission of Agriculture and with approval of the Board of Control, and warrants drawn by the Comptroller on the State Treasurer.

In allotting or distributing said stallions and jacks, the Commis-

sioner of Agriculture shall request and give consideration to the recommendations of the Commissioners Court of the particular counties seeking the distribution of such animals.

The Commissioner of Agriculture annually, in the month of November, shall make and file with the Governor and the Racing Commission a written report showing prices paid for animals purchased under this Act, from whom, and where purchased, with a copy of the bill of sale on each animal, showing the age and breeding of each respective animal, and the location of such animal, and the name of the then custodian thereof, the amount collected by him as service charges on animals, and the amount paid out in the way of maintenance expense of animals and to whom paid.

Sec. 3a. Provided that all money on deposit on April 1st, 1935, with the State Treasurer or other depositories to the credit of the Jack and

Stallion Fund shall be used for the payment of caretakers fees now due, or to become due, and for the purchase of Jacks and Stallions and the amounts hereto set forth and attached, as well as the sum of Three Thousand (\$3,000.00) Dollars, or so much thereof as will be necessary, for office employees and expenses incident thereto, is hereby appropriated annually and to defray expenses incurred by Board of Control in the purchase of jacks and stallions for the State of Texas; and expenses incident to the purchase and caretaking of the jacks and stallions now owned, or to be owned by the State of Texas, and such funds for caretakers shall also be withdrawn from the Treasury on a monthly basis. And such amount shall be taken out of the Jack and Stallion Fund.

Sec. 3aa. The Comptroller and Treasurer are hereby directed to issue proper warrants immediately for the following sums of money now past due:

Caretakers Salary.

Month of February 1935.....	\$2,753.95
Month of March 1935.....	2,945.00

Travelling Expense.

M. S. Frazee (Feb. 25-Mar. 2) Inspection.....	17.73
M. S. Frazee (March 11-16) Inspection.....	9.04
M. S. Frazee (March 25-30) Inspection.....	2.92
W. K. Maasdam (Feb. 22-26) Inspection.....	10.40
J. E. McDonald (Mar. 6) Inspection.....	14.25
Robt. Nabers (Mar. 5-April 15) Inspection.....	10.35
W. K. Maasdam (Feb. & March).....	200.00
Robt. Nabers.....	75.00

Telephone & Telegraph.

Feb.	46.25
March	141.35

Veterinary & Medicine.

Kelly Pharmacy, Waxahachie.....	2.75
J. L. Lyon, veterinary services.....	25.00
F. Lester Morgan, veterinary services.....	22.00
Dr. W. C. Brock, veterinary services.....	5.00

Miscellaneous.

Moore Hwd. Co.....	.90
F. Weigle Iron Works.....	5.55
Darter Bros.	7.50
Frank Holson	3.50
L. C. Smith Typewriter Co.....	76.95
Sankey Studio	7.25

Auditors Expenses.

C. L. West	65.15
R. H. Murphy.....	45.10

Sec. 3b. All contracts for transportation, and/or delivery, and all necessary expenses incurred in transportation and/or delivery of jacks and stallions, made by the Commissioner of Agriculture, shall be approved by the Board of Control, and paid out of Jack and Stallion Account, upon vouchers issued therefor by the Commissioner of Agriculture, and approved by the Board of Control.

Sec. 4. The fact that under the provisions of Acts of the Regular Session of the Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32, the Special Racing Fund, as created in such Act, cannot be divided or paid out until the month of December of each year, and the fact that the State of Texas now has on hand and owns a large number of jacks and stallions, and has no available funds for the care of same, and for the fact that the service fees for jacks and stallions are now required to be deposited to the Racing Fund, depriving such Jack and Stallion Account of much needed revenues, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

On motion of Senator Shivers the Conference Committee report to H. B. No. 779 was adopted by the following vote:

Yeas—25.

Beck.	Neal.
Blackert.	ONeal.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Isbell.	Woodruff.
Moore.	

Nays—5.

DeBerry.	Martin.
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Pace.	Sulak.
Redditt.	

Absent—Excused.

Fellbaum.

Recess.

On motion of Senator Poage, the Senate at 12:15 o'clock p. m. recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

H. J. R. No. 5.

Pending business was consideration of H. J. R. No. 5.

Senator Sanderford sent up the following amendment:

Amend the C. S. to H. J. R. No. 5, by adding the following after the word "satisfied" on page 4, line 17:

Provided the ad valorem levy on all property assessed for State purposes shall never exceed 7 cents on the one hundred dollars assessed valuation.

SANDERFORD.

Read.

Point of "No Quorum."

Senator Hill raised the point of "no quorum".

A roll call was ordered and disclosed a quorum present.

Motion to Table.

Senator Rawlings moved to table the amendment by Senator Sanderford.

The motion to table prevailed by the following vote:

Yeas—15.

Cotten.	Poage.
DeBerry.	Rawlings.
Hill.	Redditt.
Hornsby.	Shivers.
Isbell.	Sulak.
Neal.	Van Zandt.
ONeal.	Woodruff.
Pace.	

Nays—14.

Beck.	Collie.
Blackert.	Duggan.
Burns.	Holbrook.

Hopkins.	Sanderford.
Martin.	Small.
Moore.	Stone.
Regan.	Westerfeld.

Absent.

Davis.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—5.

Blackert.	Regan.
Holbrook.	Small.
Hopkins.	

Absent—Excused.

Fellbaum.

I am in favor of H. J. R. No. 5 tax exemption on homesteads.

FELLBAUM.

Reason For Vote.

I vote for H. J. R. No. 5 in the Senate today not because of the fact that I am satisfied with it as now written, but because I understand that it will be thrown into a Conference Committee for the purpose of getting a better and more satisfactory one which probably will come nearer to my idea of what it should be.

PACE,
COTTEN.

H. J. R. No. 19.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Reed of Bowie and Mr. Beck:

H. J. R. No. 19, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51b, which shall provide that the Legislature shall have the power to cooperate with the United States of America in providing for and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, etc.

(With committee substitute.)

The committee substitute was adopted by viva voce vote.

The resolution was read second time as substituted and passed to third reading by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

On motion of Senator Beck, the rule requiring resolutions to be read on three several days was suspended and H. J. R. No. 19 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Hopkins.
Blackert.	Hornsby.
Burns.	Isbell.
Collie.	Martin.
Cotten.	Moore.
Davis.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.

Redditt. Stone.
Regan. Sulak.
Sanderford. Van Zandt.
Shivers. Westerfeld.
Small. Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

S. J. R. No. 29.

Senator Poage received unanimous
consent to suspend the regular order
and sent up the following resolution:

A Joint Resolution Proposing an
amendment to Section 1, Article
VIII of the Constitution of Texas;
and providing that the State may
never impose an ad valorem tax on
any property within this State or a
sales tax on necessary articles of
human food, excluding liquor, bever-
ages, tobacco and tobacco products;
providing that such amendment shall
become effective October 1, 1936;
providing the form and date of its
submission, and making an appro-
priation of \$5,000.00, or so much
thereof as may be necessary to pay
the expenses of submitting such
amendment to the people.

POAGE,
HILL,
• WESTERFELD.

Read.

Senator Poage moved that the
Senate Rule requiring Resolutions to
be referred to a committee be sus-

pended, and that S. J. R. No. 29 be
taken up and considered at this
time.

The motion lost by the following
vote:

Yeas—5.

Hornsby.	Redditt.
Isbell.	Westerfeld.
Poage.	

Nays—19.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Regan.
DeBerry.	Shivers.
Duggan.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Martin.	Van Zandt.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

Blackert.

Absent.

Beck.	Moore.
Davis.	Sanderford.
Hill.	

Absent—Excused.

Fellbaum.

S. J. R. No. 29 was referred to the
Committee on Constitutional Amend-
ments.

House Bill No. 755.

The Chair laid before the Senate
on its second reading the following
bill, which had been made special
order on the calendar:

By Mr. Luker:

H. B. No. 755, A bill to be entitled
"An Act defining certain words,
terms, phrases; imposing an occupa-
tion or excise tax on first sale of cig-
arettes, according to weight, with
certain exception; providing payment
of tax shall be evidenced by stamps
affixed to each individual package,
said stamps to be purchased in un-
broken sheets of one hundred (100)
stamps only from Treasurer only ex-
cept through requisition from Comp-
troller; provided stamps may be pur-
chased and affixed to packages of
cigarettes by manufacturer thereof
outside the State exempting same
from further taxation, etc., and de-
claring an emergency."

(With committee amendments.)

At Ease.

On motion of Senator Sulak, the Senate stood at ease for three minutes.

House Bill No. 755.

A second reading of committee amendment No. 1 was called for.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

Amend H. B. No. 755 by striking out Section 30 thereof, and renumbering the succeeding sections to conform.

MOORE.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment by Senator Moore.

The motion to table failed by the following vote:

Yeas—3.

Beck.	Woodruff.
Duggan.	

Nays—22.

Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.

Present—Not Voting.

DeBerry.

Absent.

Isbell.

Pace.

Absent—Excused.

Fellbaum.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Davis (absent) who would vote yea.

The question recurred on adoption of the amendment.

The amendment was adopted by a viva voce vote.

Amend H. B. No. 755, by striking out the following paragraph in Section 3, which is shown on page 8 of the printed bill between lines 11 and 14 and which is as follows:

"All the revenue derived from this tax as hereinafter provided shall be credited to the Available School Fund of the State of Texas until September 1, 1937, and thereafter one-half ($\frac{1}{2}$) shall be credited to the General Fund and one-half ($\frac{1}{2}$) to the Available Fund."

And substituting in lieu thereof the following:

"From the effective date of this Act and until September 1, 1935, all the revenue derived from this Act, except as hereinafter provided in this Act, shall be credited to the Available School Fund of the State of Texas, but after September 1, 1935, except as hereinafter provided in this Act, two-thirds of the revenue derived from this Act shall be credited to the Available School Fund of the State of Texas and one-third of the revenue derived from this Act shall be credited to the General Fund of the State of Texas."

REDDITT.

Read and adopted.

Amend House Bill No. 755 by adding a new Section at the end of Section No. 3, on page 9, of the printed bill, to be known as Section 3-A, and to read as follows:

"Sec. 3-A: The 'Cigarette Tax Stamp Board' shall have full power and authority over the cigarette stamps now on hand and the responsibility for burning said stamps is placed upon said Board. It shall be the duty of all dealers, both retail and wholesale, as defined herein, to place a fingerprinted cardboard on which the stamps are affixed, in the carton of cigarettes, and to place the name and date on the back of these fingerprinted cardboards. It is further required that cardboards be kept with invoices for cigarettes, for the benefit of inspectors who check the records. Said inspectors are also required to take up these cardboards and turn them in to the Comptroller."

HOLBROOK.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion lost by the following vote:

Yeas—13.

Beck.	Regan.
DeBerry.	Sanderford.
Duggan.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Woodruff.
Redditt.	

Nays—14.

Blackert.	Hornsby.
Burns.	Martin.
Collie.	Poage.
Cotten.	Rawlings.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Westerfeld.

Absent.

Davis.	Pace.
Isbell.	

Absent—Excused.

Fellbaum.

The amendment was adopted by viva voce vote.

Amend H. B. No. 755, page 7, Section 3, by rewriting the first paragraph of Section 3 so as to read as follows:

"Sec. 3. A 'Cigarette Tax Stamp Board' composed of the Board of Control of this State, designated hereafter as the 'Board,' is hereby created and the said Board shall be and is hereby required to design and have printed or manufactured new cigarette tax stamps of such size and denominations and in such quantities as may be determined by the said Board. The stamps shall be so manufactured as to render them easy to be securely attached to each individual package of cigarettes; provided that a different and separate serial number of combination letter and number may be assigned to and printed on the margin of each sheet of stamps. The printing or manufacturing of the stamps shall be awarded by competitive bid and the contract shall be awarded to the person submitting the lowest and best bid that will afford the greatest and best protection to the State in the enforcement of the provisions of this Act."

SMALL.

Read and adopted.

Senator Beck sent up an amendment to the amendment:

Amend the Small amendment by adding after the word "stamp" the words:

"Or other methods of identification be adopted as the Board may decide."

BECK.

Read and adopted.

Amend the caption of House Bill No. 755 to conform with amendments.

REDDITT.

Read and adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 755 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Blackert.	Neal.
Collie.	Oneal.
Cotten.	Poage.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.

Nays—2.

Burns.

Shivers.

Present—Not Voting.

Rawlings.

Absent.

Davis.
Pace.

Redditt.

Absent—Excused.

Fellbaum.

House Bill No. 65.

The Chair laid before the Senate on its second reading the following bill which had been made special order:

By Mr. Tennyson, Mr. Harris of Archer, Mrs. Hughes, Mr. Gibson, Mr. James, Mr. Lotief and Mr. Broyles:

H. B. No. 65, A bill to be entitled "An Act amending Article 1119, of the Revised Civil Statutes of Texas of 1925, so as to make its provisions apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas, and to limit the earnings of persons, companies, or corporations coming within the provisions of said article to an amount not exceeding a fair return upon the fair value of the property used and useful in rendering its service to the public; which return shall never exceed ten per cent (10%) per annum; etc.," and declaring an emergency.

Motion to Lay on Table Subject to Call.

Senator Shivers moved to lay on the table subject to call H. B. No. 65.

The motion lost by the following vote:

Yeas—10.

Beck.
Cotten.
Holbrook.
Hopkins.
Martin.Rawlings.
Sanderford.
Shivers.
Small.
Stone.

Nays—16.

Blackert.
Burns.
Collie.DeBerry.
Hill.
Hornsby.Neal.
Oneal.
Pace.
Poeage.
Redditt.Regan.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent.

Davis.
Duggan.Isbell.
Moore.

Absent—Excused.

Fellbaum.

Pending.

Motion to Recess.

Senator Holbrook at 5:25 o'clock p. m. moved that the Senate recess until 8 o'clock p. m.

Motion pending.

House Bill No. 408.

Senator Pace sent up the following Conference Committee report.

Committee Room,
Austin, Texas, May 2, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Hon. Walter F. Woodul, President of the Senate.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the Senate on House Bill No. 408 beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

DAVIS,
BURNS,
COTTEN,
PACE,
SHIVERS,

On the part of the Senate.

RUSSELL,
WESTFALL,
HANKAMER,
ADAMSON,

On the part of the House.

A BILL

to be entitled

An Act to amend Article 2350, Title 44, Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth

Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216, and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, page 220; and so as to provide the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2350, Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, Page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216; and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, Page 220; be and the same is hereby amended so as to hereafter read as follows:

Article 2350. In counties having the following assessed valuations, respectively, as shown by the total assessed valuations of all properties certified by the county assessor and approved by the Commissioners' Court, for county purposes, for the previous year, from time to time, the County Commissioners of such counties shall each receive annual salaries not to exceed the amounts herein specified, said salaries to be paid in equal monthly installments, at least one-half, and not exceeding three-fourths, out of the road and bridge fund and the remainder out of the general fund of the county; said assessed valuations and salaries applicable thereto being as follows:

Assessed Valuations	Salaries to be paid each Commissioner
\$6,000,001 and less than	
\$10,000,000 not to exceed	\$1400.00
\$10,000,001 and less than	
\$13,000,000 not to exceed	1600 00

\$13,000,001 and less than	
\$20,000,000 not to exceed	1800.00
\$20,000,001 and less than	
\$30,000,000 not to exceed	2250.00
\$30,000,001 and less than	
\$78,000,000 not to exceed	2400.00
\$78,000,001 and less than	
\$130,000,000 not to exceed	3400.00
\$130,000,001 and less than	
\$150,000,000 not to exceed	3600.00
\$150,000,001 and over	4200.00

In counties having assessed valuation of less than \$4,500,000, each commissioner shall receive \$5 (Five Dollars) per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, provided in no event shall his total compensation exceed Nine Hundred (\$900) Dollars in any one year.

In counties having assessed valuation of more than \$4,500,001 and less than \$6,000,000 each commissioner shall receive Five (5) Dollars per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, provided in no event shall his total compensation exceed Twelve Hundred (\$1200) Dollars in any one year.

Sec. 2. The salary of each County Commissioner and each County Judge may be paid wholly out of the County General Fund or, at the option of the Commissioners Court, may be paid out of the County General Fund and out of the Road and Bridge Fund in the following proportions: County Judge not to exceed seventy-five (75%) per cent of such salaries may be paid out of the Road and Bridge Fund, and the remainder out of the General Fund of the County, and each County Commissioner's salary may, at the discretion of the Commissioners Court, all be paid out of the Road and Bridge Fund; provided this section shall not apply except in counties where the constitutional limit of twenty-five (25) cents on the One Hundred (\$100.00) Dollars is levied for general purposes.

Sec. 3. The Commissioners' Court at its first regular meeting each year shall, by order duly made and entered upon the minutes of same court, fix the salaries of the county

commissioners for such year, within the limits as provided for in this act.

Sec. 4. That all laws, both general and special or parts of laws, both general and special, in conflict with the foregoing Act, be, and the same are hereby, expressly repealed; provided, however, that in all counties having a population of not less than 14,588 and not more than 14,800, according to the last available Federal Census and each available census thereafter, and a valuation of over Sixty Million (\$60,000,000) Dollars according to the last approved tax roll for county purposes, each precinct commissioner shall be entitled to receive a salary not in excess of Three Thousand (\$3,000.00) Dollars per annum payable in equal monthly installments.

Sec. 5. If any section, clause, sentence, or other part of this Act shall for any reason be declared unconstitutional that shall not affect in any way the constitutionality of the remaining provisions hereof.

Sec. 6. The importance of simplifying the laws now governing the salaries of the various commissioners of the several counties of the State creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended and this Act shall take effect from and after its passage.

Senator Pace moved to adopt the Conference Committee report on H. B. No. 408.

Substitute Motion.

Senator DeBerry moved as a substitute that the Conference Committee report be printed in the Journal and lie over one day.

Motion to Table.

Senator Woodruff moved to table the motion of Senator DeBerry.

The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Martin.
Burns.	Moore.
Cotten.	Neal.
Holbrook.	Pace.
Hopkins.	Rawlings.

Redditt.	Small.
Regan.	Stone.
Sanderford.	Van Zandt.
Shivers.	Woodruff.

Nays—7.

Collie.	Poage.
DeBerry.	Sulak.
Hornsby.	Westerfeld.
Oneal.	

Absent.

Blackert.	Hill.
Davis.	Isbell.
Duggan.	

Absent—Excused.

Fellbaum.

Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on the motion by Senator Pace.

The motion was seconded.

Previous Question Ordered.

The motion prevailed by the following vote:

Yeas—18.

Beck.	Rawlings.
Burns.	Redditt.
Cotten.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Pace.	Woodruff.

Nays—7.

Collie.	Poage.
DeBerry.	Sulak.
Hornsby.	Westerfeld.
Oneal.	

Absent.

Blackert.	Hill.
Davis.	Isbell.
Duggan.	

Absent—Excused.

Fellbaum.

The question recurred on the motion by Senator Pace.

The motion prevailed by the following vote:

Yeas—21.

Beck.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	Van Zandt.
Moore.	Woodruff.
Neal.	

Nays—6.

DeBerry.	Poage.
Hornsby.	Sulak.
Oneal.	Westerfeld.

Absent.

Blackert.	Isbell.
Duggan.	

Absent—Excused.

Fellbaum.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 179. The following are conferees on the part of the House:

Tennyson, Aikin, Alexander, Keefe, and Harris of Archer.

The House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 369. The following are conferees on the part of the House:

Roane, Glass, Herzik, Hill and McKinney.

The House has concurred in Senate amendments to H. B. No. 743 by a vote of 105 yeas, 0 nays.

The House has refused to concur in Senate amendments to H. B. No. 407 and requests the Senate for the appointment of a conference committee to adjust the differences between

the two Houses. The following are appointed as conferees on the part of the House:

Beck, Alsup, Canon, Morris, and Hodges.

The House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 42. The following are conferees on the part of the House:

Lemens, Patterson, Hankamer, Gray, and Atchison.

The House has refused to concur in Senate amendments to H. B. No. 320 and requests the Senate for the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Lemens, Petsch, Rogers, Lanning, and Colson.

The House has concurred in Senate amendments to H. B. No. 344 by a vote of 112 yeas, 3 nays.

The House has refused to concur in Senate amendments to H. B. No. 71 and requests the Senate for the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Dunagan, Harris of Dallas, Cooper, Pope, and Walker.

The House has adopted the conference committee report on S. J. R. No. 6 by a vote of 108 yeas, 0 nays.

The House has adopted the conference committee report on S. B. No. 369 by a vote of 106 yeas and 13 nays.

The House has concurred in Senate amendments to H. B. No. 101 by a vote of 97 yeas, 6 nays.

The House has adopted the following resolution:

H. C. R. No. 108, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 178.

The House has passed the following bill and resolution:

H. C. R. No. 103, Regarding report of the committee appointed by the Lieutenant Governor and the Speaker of the House with reference to an investigation of school property at Milford, Texas.

H. B. No. 486, A bill to be entitled "An Act providing that a deplorable

condition existing in that area of the State, including in the Counties of Loving, Reeves, Ward, and Pecos, has produced a condition which is declared to be a public calamity, and making a grant of funds to Red Bluff Water Power Control District, to provide funds to construct a large storage reservoir on the Pecos River for irrigation of the lands within such district and the construction of a hydro-electric plant, and providing for the conditions for the payment in handling such funds, the time of payment thereof, and providing all of the net amounts of the annual current State ad valorem taxes that may be collected from the property and from persons in said counties of Loving, Reeves, Ward, and Pecos, which would otherwise go into the General Revenue Fund of the State of Texas (including the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law), and providing that the amount so granted shall not exceed in any one year the total sum of sixty thousand dollars (\$60,000), etc., and declaring an emergency."

May 3, 1935, the House has concurred in Senate amendment to H. C. R. No. 98 by viva voce vote.

May 3, 1935, the House has concurred in Senate amendments to H. B. No. 115 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 704.	S. B. No. 365.
S. B. No. 49.	H. J. R. No. 9
S. B. No. 52.	S. B. No. 527.
S. B. No. 354.	S. B. No. 326.
S. B. No. 280.	S. B. No. 234.
S. B. No. 217.	S. B. No. 207.
S. B. No. 264.	S. B. No. 126.
S. B. No. 257.	S. C. R. No. 43.
S. B. No. 10.	S. B. No. 494.
S. B. No. 525.	S. B. No. 393.
S. B. No. 524.	S. B. No. 405.
S. B. No. 516.	S. B. No. 401.
S. B. No. 513.	S. B. No. 341.

Senate Bill No. 114.

Motion to Reconsider Withdrawn.

Senator Collie withdrew his motion to reconsider the vote by which S. B. No. 114 was finally passed.

Bills Referred.

H. B. No. 832 was referred to the Committee on State Affairs.

H. B. No. 27 was referred to the Committee on Educational Affairs.

H. B. No. 486 was referred to the Committee on State Affairs.

H. C. R. No. 108.

The Chair laid before the Senate on its first reading the following resolution:

By Mr. Luker:

H. C. R. No. 108, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 178.

Senator Cotten moved that the rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 108 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 108 was adopted by viva voce vote.

H. C. R. No. 103.

The Chair laid before the Senate on its first reading the following resolution:

By Mr. Stovall:

H. C. R. No. 103, Regarding committee appointed by the Speaker of the House and the Lieutenant Governor with reference to an investigation of school property at Milford, Texas.

Senator Martin moved that the rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 103 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 103 was adopted by viva voce vote.

House Bill No. 320.

Senator Small moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 320.

The motion prevailed.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 320:

Senators Martin, Small, Cotten, Sulak and Duggan.

House Bill No. 71.

Senator Rawlings moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 71.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 71:

Senators Poage, Rawlings, Martin, Pace, and Hopkins.

House Bill No. 407.

Senator Shivers moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 407.

The motion prevailed by viva voce vote.

Recess.

The motion to recess prevailed at 5:55 o'clock p. m.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 477.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 477, A bill to be entitled "An Act amending Article 2982, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was explained and taken up by unanimous consent.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 477 was put on its third reading and final passage by the following vote:

Yes—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yes—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 897.

Senator Blackert received unanimous consent to suspend the regular order and take up H. B. No. 897.

The Chair laid before the Senate in its second reading the following bill:

By Mr. Butler:

H. B. No. 897, A bill to be entitled "An Act to amend Section 5 of Chapter 271, Acts of the Regular Session

of the Forty-second Legislature, which is Article 5421-c, Revised Civil Statutes, providing for the sale of public free school lands under preference right to include a provision providing for the purchase of lands surveyed under Article 5323, Revised Statutes, 1925, in cases where the field notes have been filed in the General Land Office and approved, but the applicant has failed to file his application to purchase within the time prescribed by law; and authorizing a revaluation of such areas, and declaring an emergency."

Senator Blackert sent up the following amendment:

Amend H. B. No. 897 by striking out all of Section 5, page 1 and substituting in lieu thereof the following:

Sec. 5. "Any headright survey, homestead donation, preemption survey, scrip survey or other survey heretofore awarded or sold in Karnes County which survey has been held and claimed in good faith by any party for a period of ten years prior to the date of application for patent and which surveys cannot be patented under existing laws, may be patented on payment of one dollar (\$1.00) an acre to the Land Commissioner, in such cases the patent shall be issued to the owner now of record in the General Land Office and insure distributively to the true and lawful owners of the land and which is not situated within ten miles of a producing oil or gas well provided that in cases where surveys had been made under Article 5323, R. S. 1925, and field notes filed in the General Land Office and approved, but the applicant failed to file his application to purchase in the Land Office within the time required by law, such applicant if occupying the land in good faith, may have the land revalued by the Land Commissioner, and purchase it at a price so fixed; provided also that in all cases where a tract of school land has been occupied by mistake as a part of another tract such occupant shall have a preference right for a period of six months after the discovery of the mistake, or after the passage of this Act, to purchase the land at the same price paid or contracted to be paid for the land actually conveyed to him."

Sec. 2. That the importance of this legislation creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended and that the Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend the caption to conform.

BLACKERT.

The committee report recommending that this bill be printed was adopted by unanimous consent.

The amendment was adopted by viva voce vote.

The bill was read second time and passed to third reading.

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 897 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small. Van Zandt.
Stone. Westerfeld.
Sulak. Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 201.

Senator Neal received unanimous consent to suspend the regular order and take up S. B. No. 201.

The Chair laid before the Senate on its second reading the following bill:

By Senator Neal:

S. B. No. 201, A bill to be entitled "An Act amending Section 1-a, Chapter 140 of the Regular Session of the Forty-second Legislature of Texas providing for the organization of school districts, common or independent by the county board of school trustees out of parts of existing school districts on petition of majority of qualified voters residing therein and providing an appeal to the State Board of Education from the action of the county board of school trustees; providing that failure or refusal of such board to act shall be treated as a final order to establish such district and that hearing for State Board shall be de novo; repealing all provisions in conflict herewith and making this cumulative, and declaring an emergency."

Committee Amendment No. 1.

Amend S. B. No. 201, Section 1-a, in line 21, on page 1, of printed bill, after word "State," and insert "having a population of not more than twelve thousand five hundred (12,500), according to last Federal census, and not less than twelve thousand one hundred fifty-one (12,151)."

NEAL.

Read and adopted.

Committee Amendment No. 2.

Amend caption of S. B. No. 201 to conform with the body of the bill.

NEAL.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to engrossment.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 201 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 492.

Senator Hill received unanimous consent to suspend the regular order and take up H. B. No. 492.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leath:

H. B. No. 492, A bill to be entitled "An Act to amend Article 2696, of the Revised Civil Statutes of Texas,

of 1925, relating to the transfers of children from an independent school district or other school districts in any county to some other independent district or other district in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent, or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 492 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Davis.
Blackert.	DeBerry.
Burns.	Duggan.
Collie.	Hill.
Cotten.	Holbrook.

Hopkins.	Redditt.
Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 472.

Senator Holbrook received unanimous consent to suspend the regular order and take up H. B. No. 472.

The Chair laid before the Senate the following bill which had been read second time:

By Mr. Thornton:

H. B. No. 472, A bill to be entitled "An Act to authorize the State Highway Commission of Texas to provide for the removal of bridges obstructing the construction of the Intra-coastal Waterway of Louisiana and Texas, and to replace same out of any funds available for that purpose, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill passed to third reading by viva voce vote.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 472 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Collie.	Davis.
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Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Rawlings.
Blackert.	Regan.
Burns.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—7.

Cotten.	Pace.
DeBerry.	Poage.
Hill.	Redditt.
Oneal.	

Absent.

Collie. Davis.

Absent—Excused.

Fellbaum.

Senate Bill No. 66.

Senator Duggan received unanimous consent to suspend the regular order and take up S. B. No. 66.

The Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 66, A bill to be entitled "An Act amending Section 10 and 12 of Chapter 206, Acts of the Forty-second Legislature of Texas, Regular Session, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 66 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.
Pace.	

Absent—Excused.

Davis. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Davis. Fellbaum.

Senate Bill No. 447.

Senator DeBerry received unanimous consent to suspend the regular order and take up S. B. No. 447.

The Chair laid before the Senate on its second reading the following bill:

By Senator DeBerry:

S. B. No. 447, A bill to be entitled. "An Act to provide for certificates to be issued by the collector of taxes of the State or of any political subdivision in the State showing payment of taxes, and that same shall be conclusive evidence of such payment in the absence of fraud or collusion, and declaring an emergency."

Senator DeBerry sent up the following amendments:

Amend S. B. No. 447, line 13, by striking out all of said line after the

words "Section 1" and inserting in lieu thereof the following:

"The collector of taxes for the State and/or for any political."

DeBERRY.

Read and adopted.

Amend S. B. No. 447 by striking out in line 18 the words "owner of" and in line 19 all up to the comma after the word "certificate" and inserting in lieu thereof the following "State or political subdivision to which such taxes are due."

DeBERRY.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator DeBerry the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 447 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Davis. Fellbaum.

Point of no Quorum.

Senator Sanderford raised a point of no quorum.

The roll call was ordered.

The roll call disclosed a quorum.

Present.

Beck.	Hopkins.
Burns.	Hornsby.
Cotten.	Isbell.
DeBerry.	Martin.
Duggan.	Moore.
Hill.	Neal.
Holbrook.	Oneal.

Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.
Shivers.	

Absent.

Blackert. Collie.

Absent—Excused.

Davis. Fellbaum.

Senate Bill No. 447.

Read third time, as amended, and finally passed by the following vote:

Yeas—16.

Beck.	Martin.
Cotten.	Pace.
DeBerry.	Rawlings.
Duggan.	Small.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hornsby.	Westerfeld.
Isbell.	Woodruff.

Nays—11.

Burns.	Redditt.
Hopkins.	Regan.
Moore.	Sanderford.
Neal.	Shivers.
Oneal.	Stone.
Poage.	

Absent—Excused.

Blackert. Davis.
Collie. Fellbaum.

House Bill No. 791.

Senator Hopkins received unanimous consent to suspend the regular order and take up H. B. No. 791.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Knetsch:

H. B. No. 791, A bill to be entitled "An Act to prohibit the taking of fish from the fresh waters of Comal County by any means or device other than by ordinary pole and line, or throw line, or trot-line with hooks not less than six feet apart, except by the use of artificial bait; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 791 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent—Excused.

Blackert.	Davis.
Collie.	Fellbaum.

Read third time and finally passed by viva voce vote.

House Bill No. 829.

Senator Hornsby received unanimous consent to suspend the regular order and take up H. B. No. 829.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Payne:

H. B. No. 829, A bill to be entitled "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas or local organizations of such a body; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 829 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Cotten.
Blackert.	DeBerry.
Burns.	Duggan.

Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by viva voce vote.

Vote Recorded.

Senator DeBerry asked to be recorded as voting "nay" on final passage of H. B. No. 829.

House Bill No. 863.

Senator Isbell received unanimous consent to suspend the regular order and take up H. B. No. 863.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 863, A bill to be entitled "An Act to validate all proceedings, orders and resolutions whereby any water improvement district or water control and improvement district or conservation and reclamation district, now organized and existing under the Constitution and laws of this State (other than water improvement district now organized and existing under the Constitution and/or laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without such election, has provided for refunding any part or all of its outstanding bonds or indebtedness theretofore authorized by an election held for that purpose as provided by law, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Isbell, the constitutional rule requiring bills to be read on three several days was

suspended and H. B. No. 863 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 928.

Senator Martin received unanimous consent to suspend the regular order and take up H. B. No. 928.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Calvert:

H. B. No. 928, A bill to be entitled "An Act to exempt banking institu-

tions from furnishing security for any deposits to the extent such deposits are insured under Section 12-b of the Federal Reserve Act, as amended, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 928 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 832.

Senator Moore received unanimous consent to suspend the regular order and take up H. B. No. 832.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hofheinz:

H. B. No. 832, A bill to be entitled "An Act amending Article 5142 of the Revised Civil Statutes, 1925, as amended by the Acts of the Fortieth Legislature, page 335, Chapter 228, and Article 5142-a, Acts 1931, Forty-second Legislature, page 759, Chapter 302; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties and authorities; etc., and declaring an emergency."

Senator Moore sent up the following:

Amend H. B. No. 832 by adding thereto a new section to be known as "Section 1A," and reading as follows:

"Section 1A. For the additional services and duties required by this Act each district judge in any county coming under the terms of this Act shall receive in addition to all other compensation now provided by law, the sum of Seventy-Five (\$75.00) Dollars per month out of the General Fund of such county," and amend the caption to conform.

MOORE.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 832 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Cotten.	Moore.
DeBerry.	Neal.
Duggan.	Oneal.
Hill.	Pace.
Holbrook.	Poage.
Hopkins.	Rawlings.

Redditt.	Stone.
Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 203.

Senator Neal received unanimous consent to suspend the regular order and take up H. B. No. 203.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Celaya:

H. B. No. 203, A bill to be entitled "An Act to validate all proceedings and acts of governing bodies of cities containing a population of not more than 11,000 nor less than 10,500, according to any Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts Forty-second Legislature, Regular Session, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was

suspended and H. B. No. 203 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Senate Bill No. 523.

Senator Poage received unanimous consent to suspend the regular order and take up S. B. No. 523.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage.

S. B. No. 523, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, and as by Senate Bill No. 242, passed by the Forty-

fourth Legislature relating to the administration of the private corporations in receivership and providing for the extension of time of such receiverships; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 523 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 420.

Senator Pace received unanimous consent to suspend the regular order and take up H. B. No. 420.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Craddock.

H. B. No. 420, A bill to be entitled "An Act amending Article 2094 Chapter 7, Title 42, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, page 89, Chapter 43, Section 1, providing for jury wheel system of selecting jurors in certain counties having a population of at least fifty-eight thousand inhabitants or having therein a city having population of at least twenty thousand, as shown by the preceding Federal Census; prescribing duties of the tax collector, tax assessor, sheriff, county clerk, and district clerk in regard thereto; provided in discretion of commissioners court in all counties having a population of at last twenty-four thousand inhabitants jury wheel system of selecting jurors may be adopted, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 420 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 13.

Senator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 13.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 13, A bill to be entitled "An Act to amend Chapter 39 of the General and Special Laws of the Forty-second Legislature, which was an act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 13 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Cotten.	Hopkins.
DeBerry.	Hornsby.

Isbell.	Regan.
Martin.	Sanderford.
Moore.	Shivers.
Neal.	Small.
Oneal.	Stone.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 14.

Senator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 14.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 14, A bill to be entitled "An Act repealing Senate Bill No. 265, Chapter 14, Acts of the Regular Session of the Forty-second Legislature, providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Redditt the constitutional rule requiring bills to

be read on three several days was suspended and H. B. No. 14 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	• Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 87.

Senator Rawlings received unanimous consent to suspend the regular order and take up H. B. No. 87.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Duvall.

H. B. No. 87, A bill to be entitled "An Act making appropriation to pay to parties named, funds heretofore paid into the State Treasury under

the provisions of Articles 3644 (3574) to 3660 (3591) of Revised Civil Statutes, authorizing State Treasurer to pay same, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 87 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 85.

Senator Rawlings received unanimous consent to suspend the regular

order and take up House Bill No. 85.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Duvall.

H. B. No. 85, A bill to be entitled "An Act to amend Article 1650 of the Revised Civil Statutes of Texas of 1925 with respect to the authority of the county auditor to appoint assistants; providing for oath and bond of assistants; providing for an application by the county auditor to the district judges having jurisdiction, setting forth number, qualifications, duties and compensation of such assistants; providing for approval and certification of such appointments to the commissioners court by the district judges having jurisdiction, etc., and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

On motion of Senator Rawlings H. B. No. 85 was laid on the table subject to call.

House Bill No. 732.

Senator Regan received unanimous consent to suspend the regular order and take up H. B. No. 732.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Bradford:

H. B. No. 732, A bill to be entitled "An Act amending Section 14, Acts 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Acts of 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new Subsection (26), and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 732 was

put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 558.

Senator Shivers received unanimous consent to suspend the regular order and take up House Bill No. 558.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Quinn:

H. B. No. 558, A bill to be entitled "An Act to establish and maintain a livestock and poultry agricultural experiment station in the piney woods region of Southeast Texas,

in one of the following counties: Liberty, Orange, Hardin, Newton, Jasper, or Tyler; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board of directors to establish and maintain the same, to accept not less than two hundred acres of land as a donation for said experimental station, and to accept money or anything of value for the establishment and maintenance of said station, and declaring an emergency."

Amend H. B. No. 558 by inserting "one of" after the last "in" in line four, of Section one.

SHIVERS.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Shivers the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 558 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Cotten.	Hopkins.

Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	Woodruff.

Nays—2.

DeBerry.	Oneal.
Absent—Excused.	
Collie.	Fellbaum.
Davis.	

Senate Bill No. 486.

The Chair laid before the Senate on its second reading the following bill:

By Senator Regan:

S. B. No. 486, A bill to be entitled "An Act to authorize any bank, trust company, bank and trust company, banking association, stock savings bank or mutual savings bank now or hereafter organized under the laws of this State, or the conservator, receiver or liquidator thereof, with the consent and approval of the Banking Commissioner, to enter into such contracts, incur such obligations and generally to do such acts as may be appropriate or necessary to take advantage of any and all memberships, loans, subscriptions, contracts, grants, rights or privileges, which may, at any time be available or inure to said banking institutions or their depositors or stockholders, or their conservators, liquidators, or receivers, by virtue of any act or resolution of the Congress of United States to aid, regulate or safeguard banking institutions and depositors, including the Act creating the Federal Deposit Insurance Corporation; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 486 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

Holbrook.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 978.

Senator Small received unanimous consent to suspend the regular order and take up H. B. No. 978.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stanfield, et al.:

H. B. No. 978, A bill to be entitled "An Act authorizing the creation and incorporation of wind erosion conservation districts co-extensive with the area of any county in this State; prescribing the methods for the creation of same, and designating the

powers and duties of such districts; prescribing that the county judge and commissioners court shall constitute the governing body and that the county treasurer and county clerk shall be the treasurer and clerk of such districts, etc., and declaring an emergency."

Senator Small sent up the following amendment:

Amend H. B. No. 978 by adding a new section 13 to read as follows (and renumber remaining sections):

Sec. 12. The fact that unprecedented damage has resulted to the soil of the counties hereinafter named by reason of soil erosion caused by wind, which has been so serious as to drive people from their homes and to render vast areas of valuable land untenable; and the further fact that vast clouds of dust have been carried by winds for hundreds of miles and have caused practically every section of the State to suffer therefrom, and the further fact that such condition has seriously jeopardized the health of a great many people has resulted in a public calamity to the counties hereinafter named; therefore, to aid and facilitate the work to be performed by wind erosion conservation districts, the State ad valorem taxes that will accrue and be due and payable to the State of Texas for the years 1935 and 1936 from all property located in Dallam, Hartley, Oldham, Deaf Smith, Sherman, and Moore Counties, and fifty per cent (50%) of the ad valorem taxes that will accrue and be due and payable to the State of Texas for the years 1935 and 1936 from all property located in Lipscomb, Hansford and Ochiltree Counties, are hereby diverted to the conservation districts that may be hereafter formed in said Counties. And the governing bodies of such conservation districts are authorized to use said sums to defray the necessary costs and expenses incident to the purpose for which such conservation districts are formed. As and when taxes from said counties are collected and paid into the State Treasury, the State Treasurer shall transfer and pay over the same to the governing body of the conservation districts formed in said counties and shall require such receipt as he may specify to evidence the receipt of said funds, provided that in the event either of said counties fails

or refuses to form such conservation district on or before October 1, 1935, then in that event the State Treasurer shall retain the State ad valorem taxes collected from said county as is required by General Law. It is distinctly specified that the foregoing provisions shall not in any case apply to the ad valorem taxes collected for school purposes or collected for the payment of Confederate pensions.

SMALL.

Read and adopted.

Vote Recorded.

Senator DeBerry asked to be recorded as voting "no" on Small amendment.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amend and passed to third reading.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 978 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Ongeal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Holbrook.
Blackert.	Hopkins.
Burns.	Hornsby.
Cotten.	Isbell.
Duggan.	Martin.
Hill.	Moore.

Neal.	Shivers.
Pace.	Small.
Poage.	Stone.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Regan.	Woodruff.
Sanderford.	

Nays—2.

DeBerry.	Sulak.
Oneal.	

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 377.

Senator Stone received unanimous consent to suspend the regular order and take up H. B. No. 377.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Frazer:

H. B. No. 377, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of six (6) years in the County of Robertson, in the State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said county for a period of six (6) years; providing a penalty therefor, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 377 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.

Small.	Van Zandt.
Stone.	Westerfeld.
Sulak.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Davis.
Fellbaum.	

Senate Bill No. 469.

Senator Sulak called up his motion to reconsider the vote by which S. B. No. 469 was finally passed.

The motion to reconsider prevailed by viva voce vote.

S. B. No. 469 was finally passed by viva voce vote.

Vote Recorded.

Senator DeBerry asked to be recorded as voting "no" on final passage of S. B. No. 469.

House Bill No. 674.

Senator Van Zandt received unanimous consent to suspend the regular order and take up H. B. No. 674.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Adamson, et al.:

H. B. No. 674, A bill to be entitled "An Act to amend Chapter 175, page 252, Acts of the Fortieth Legislature, 1927, so as to permit the adding of an additional section to permit the Highway Commission of Texas to acquire, construct, and maintain interstate bridges without the joinder of the highway commissions of the ad-

joining states, and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Van Zandt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 674 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by viva voce vote.

Vote Recorded.

Senator DeBerry asked to be recorded as voting "no" on H. B. No. 674.

House Bill No. 680.

Senator Westerfeld received unanimous consent to suspend the regular order and take up H. B. No. 680.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hardin:

H. B. No. 680, A bill to be entitled "An Act regulating the use of State-owned motor vehicles by employees of State Departments, Bureaus, Commissions, Institutions, and Agencies in political campaigns; fixing penalties, and declaring an emergency."

Amend H. B. No. 680 by striking out Section 3 and writing in lieu thereof the following:

"No person who may be employed by the State of Texas shall ever use any State-owned automobile for his own personal use, or for the use of his family and it shall be the duty of the head of each department of State government which is furnished any automobile by the State of Texas to all require such automobiles to be painted with the words "The State of Texas," together with the name of the department to which such automobile is assigned on each side of said car in letters of at least three inches in height."

WESTERFELD.

Read and adopted.

Senator Poage sent up the following amendment:

Amend H. B. No. 680 by adding at the end of Sec. 2 the following:

If any person whose salary is paid in whole or in part out of State funds, except elective offices, shall devote the working hours of his time for which he is paid by the State or uses any State owned automobile and/or automobile the operation expenses of which are paid by the State for political campaign purposes, he shall be deemed guilty of a misdemeanor and upon conviction shall be fined any sum not less than \$200.00 or be confined in jail for more than 30 days or by both such fine and imprisonment, and shall be discharged at once, and shall be rendered ineligible for future employment by any State Department. And in event any citizen of this State shall file a civil complaint with any District Court in Travis County, Texas, charging any such employee with any such use of his time or state owned automobile, such court shall set such complaint for hearing on some date not more than twenty (20) or less than ten (10) days after the date of the filing of such complaint, and shall cause notice to be served on such employee for at least five (5) days prior to the date of such hearing, and if, upon such hearing, such court shall determine that such employee has used his time and/or a state owned automobile as charged in the complaint said court shall certify such fact to the department employing such person and order his immediate discharge. Any person against whom such charges shall have been filed shall have the right

of appeal to the Court of Civil Appeals, but the pendency of such appeal shall in no wise suspend his discharge."

POAGE.

Read and pending.

On motion of Senator DeBerry the bill was laid on the table subject to call.

House Bill No. 846.

Senator Woodruff received unanimous consent to suspend the regular order and take up H. B. No. 846.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McConnell:

H. B. No. 846, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn or wild turkey in Palo Pinto and Stephens Counties for a period of five (5) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 846 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by viva voce vote.

House Bill No. 363.

Senator Beck received unanimous consent to suspend the regular order and take up H. B. No. 363.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Rogers, et al.:

H. B. No. 363, A bill to be entitled "An Act creating the Commission of the Volunteer Army of the War with Spain to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 363 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Cotten.
Burns.	Duggan.
Collie.	Hill.

Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Moore.	Stone.
Neal.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.

Rawlings.

Nays—1.

DeBerry.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 730.

Senator Burns received unanimous consent to suspend the regular order and take up H. B. No. 730.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Bergman:

H. B. No. 730, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than 13,600 nor more than 20,000, as shown by the last preceding Federal census, to set aside a certain amount of the available school fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties, and declaring an emergency."

Senator Small sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 730, Section 1, line 4, after the figures "13,650," by adding the following:

"and in all counties containing a population of not less than 15,200 and not more than 15,700."

SMALL.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 730, Section 1, line 4, after the figures "13,650," by adding the following:

"and in all counties containing a population of not less than 15,200 and not more than 15,700," and amend the caption to conform.

SMALL.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 730 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—2.

DeBerry.	Oneal.
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Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 828.

Senator Holbrook received unanimous consent to suspend the regular order and take up H. B. No. 828.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Thornton:

H. B. No. 828, A bill to be entitled "An Act amending Article 7257 of the Revised Civil Statutes of 1925, providing additional duties of the tax assessor and collector, requiring an entry upon the tax rolls when payment of taxes have been made; providing for a seal for this office, and prescribing that such entry shall be taken as evidence of the payment of said tax; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 828 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

S. C. R. No. 40.

Senator Martin received unanimous consent to suspend the regular order and take up S. C. R. No. 40.

The Chair laid before the Senate on its second reading the following resolution:

S. C. R. No. 40, Permitting the sheriffs of the State to charge a reasonable fee for the operation of their cars and setting a maximum of fifty (\$50.00) dollars per month.

S. C. R. No. 40 was adopted by viva voce vote.

Senator DeBerry asked to be recorded as voting "nay" on S. C. R. No. 40 adoption.

Senate Bill No. 509.

Senator Cotten received unanimous consent to suspend the regular order and take up S. B. No. 509.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cotten:

S. B. No. 509, A bill to be entitled "An Act to amend Article 8197b, Chapter 8, Title 128, of the Revised Civil Statutes of the State of Texas, as amended by Acts of the Forty-first Legislature, Fourth Called Session, page 71, chapter 34, relating to the issuance of refunding bonds by any district that may have availed itself of the provisions of Article 8195 and become a Conservation and Reclamation District, and repealing all laws in conflict therewith, and declaring an emergency."

Amend S. B. No. 509 by striking out in paragraph 2, under Article 8197b, in line No. 1, the following words: "Water Improvement" and striking out the words "Water Improvement" wherever the same appears in said bill.

COTTEN.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended, and passed to engrossment.

On motion of Senator Cotten, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 509 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Woodruff.

Nays—4.

Collie.	Oneal.
DeBerry.	Westerfeld.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 228.

Senator Oneal received unanimous consent to suspend the regular order and take up H. B. No. 228.

The chair laid before the Senate on its second reading the following bill:

By Mr. Alexander:

H. B. No. 228, A bill to be entitled "An Act providing for the payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 6,800 and not more than 6,900 population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 228 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

House Bill No. 381.

Senator DeBerry received unanimous consent to suspend the regular order and take up H. B. No. 381.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Greathouse:

H. B. No. 381, A bill to be entitled "An Act to permit and authorize the Fort Worth National Bank of Fort Worth, Texas, to bring and prosecute an action against the State of Texas on certain contracts; fixing the time within which the same may be brought; fixing the venue thereof in Travis County, Texas; providing that any judgment recovered be paid from the State Highway Fund; providing for service of citation, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator DeBerry, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 381 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Collie.
Burns.	Cotten.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

House Bill No. 873.

Senator Holbrook received unanimous consent to suspend the regular order and take up H. B. No. 873.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hill:

H. B. No. 873, A bill to be entitled "An Act for the purpose of prohibiting the dredging of oysters in the headwaters of Matagorda Bay east of a line from Palacios Point on the mainland in Matagorda County across the Matagorda Bay to Cotton Bayou on the Matagorda peninsula; providing a penalty, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 873 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Senate Bill No. 153.

Senator Hornsby received unanimous consent to suspend the regular order and take up Senate Bill No. 153.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby.

S. B. No. 153, A bill to be entitled "An Act relating to checks or drafts returned unpaid when given the tax collectors or the assessors and collectors of taxes in payment of the registration license fees and number plates on any motor vehicle, truck, tractor, trailer, motorcycle or motorcycle side car; prescribing the penalties, and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted by viva voce vote.

The bill was read second time as amended and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 153 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Senate Bill No. 429.

Senator Shivers received unanimous consent to suspend the regular order and take up Senate Bill No. 429.

The Chair laid before the Senate on its second reading the following bill:

By Senators Redditt and Shivers.

S. B. No. 429, A bill to be entitled "An Act granting permission to Mrs. Dora Martin, individually and as next friend of Hazel Martin, Eunice Martin, Buster Martin and Jack Martin, minors, and Ottis Martin, surviving wife and children of A. J. Martin, deceased, to bring suit against the State of Texas and/or the Highway Department of the State of Texas, in

any court of competent jurisdiction, for damages for personal injuries received by the said A. J. Martin while on duty in the employ of the Highway Department of the State of Texas, which injuries resulted in the death of the said A. J. Martin; providing that any judgment so recovered be paid out of the funds of the Highway Department of the State of Texas; providing if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Shivers the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 429 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 754.

Senator Hill received unanimous consent to suspend the regular order and take up House Bill No. 754.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Jones of Shelby.

H. B. No. 754, A bill to be entitled "An Act prohibiting the taking or possession of any squirrel or quail in Shelby County for a period of two years following the passage of this Act; providing a penalty, repealing all laws in conflict with this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 754 was put on its third and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Collie.
Burns.	Cotten.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 861.

Senator Martin received unanimous consent to suspend the regular order and take up H. B. No. 861.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stovall.

H. B. No. 861, A bill to be entitled "An Act granting to John Mulkey of Ellie County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas for damages sustained to his property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 8 in Ellis County, Texas, impounding water on his land and destroying his farm, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Martin the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 861 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 642.

Senator Moore received unanimous consent to suspend the regular order and take up H. B. No. 642.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McCalla:

H. B. No. 642, A bill to be entitled "An Act to amend Article 3430 of the Revised Civil Statutes of Texas, 1925, so as to provide that in addition to the other powers of executors or administrators they shall have the power, upon the proper order of the court, to compromise or pay secured claims which have been allowed and approved as required by law against the estate by conveying the real estate securing the payment of the claim to the holder thereof in full payment, liquidation, and satisfaction of such claim, and the cancellation of any and all notes, deeds of trust, mortgages, or other liens evidencing or securing the payment of such claim, and declaring an emergency."

Senator Moore sent up the following amendment:

Amend H. B. No. 642, by adding a new section to be known as "Section 1-A" and reading as follows:

"Section 1-A. That Article 3576 of the Revised Civil Statutes of Texas 1925, as amended by Acts 1929, Forty-first Legislature, Page 63, Chapter 29, Section 2, be and the same is hereby amended so as hereafter to read as follows:

"Article 3576 (3501) (2134) (2080) Order of Court. Whenever any property of an estate is ordered to be sold by the county judge such order shall be entered upon the minutes of the court, shall describe the property to be sold, the time and place of sale and the terms of said sale, and shall require the executor or administrator to file a good and sufficient bond subject to the approval of the court in an amount equal to twice the amount for which such real estate is sold; provided that where the sale of such real estate is made to the owner or holder of a secured claim against the estate, and the sale is of the real estate securing such claim, and is in full payment, liquidation and satisfaction thereof, no bond shall be required except for the amount of cash, if any, actually received by such executor or administrator in excess of the amount necessary to pay, liquidate and satisfy such claim in full," and amend the caption to conform.

MOORE.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 642 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Isbell.
DeBerry.	Martin.
Duggan.	Moore.
Hill.	Neal.

Oneal.	Shivers.
Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 867.

Senator Neal received unanimous consent to suspend the regular order and take up H. B. No. 867.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Celaya:

H. B. No. 867, A bill to be entitled "An Act creating a conservation and reclamation district, to be known as 'Lower Rio Grande Flood Control District,' pursuant to and for the purposes set forth in Section 59, of Article XVI of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage its property, or levy taxes or assessments, or to pledge the credit of the State; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 867 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.	
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Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 380.

Senator Oneal received unanimous consent to suspend the regular order and take up H. B. No. 380.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stinson:

H. B. No. 380, A bill to be entitled "An Act making an appropriation to pay judgments of the district and county courts; refunding to the heirs, devisees, legatees, or legal representatives of deceased persons, whose estates have escheated to the State, such sums of money belonging to such escheated estates as have been paid into the Public Treasury; authorizing the payment of such claims on the taking effect of this Act, and filing with the Comptroller of a copy of the order of the court under seal of the court, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 380 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Hopkins.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Martin.
DeBerry.	Moore.
Duggan.	Neal.
Hill.	Oneal.
Holbrook.	Pace.

Poage.	Small.
Rawlings.	Stone.
Redditt.	Sulak.
Regan.	Van Zandt.
Sanderford.	Westerfeld.
Shivers.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 753.

Senator Pace received unanimous consent to suspend the regular order and take up H. B. No. 753.

The Chair laid before the Senate on second reading the following bill:

By Mr. Adkins, by request:

H. B. No. 753, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer, wild turkey, or wild quail of any species, for a period of three (3) years in McCulloch County, Texas; fixing penalty, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 753 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 471.

Senator Pace received unanimous consent to suspend the regular order and take up H. B. No. 471.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Craddock:

H. B. No. 471, A bill to be entitled "An Act amending Article 195, Chapter 2, Title 4, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 471 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yes—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

House Bill No. 835.

Senator Poage received unanimous
consent to suspend the regular order
and take up H. B. No. 835.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Cagle:

H. B. No. 835, A bill to be entitled
"An Act amending Article 7260, Re-
vised Civil Statutes of 1925, and de-
claring an emergency."

The committee report recommend-
ing that the bill be printed was
adopted by unanimous consent.

The bill was read second time and
passed to third reading.

On motion of Senator Poage the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 835 was
put on its third reading and final
passage by the following vote:

Yeas—28.

Beck.	Hornsby.
Burns.	Isbell.
Collie.	Martin.
Cotten.	Moore.
DeBerry.	Neal.
Duggan.	Oneal.
Hill.	Pace.
Holbrook.	Poage.
Hopkins.	Rawlings.

Redditt.	Stone.
Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yeas—26.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—2..

Sanderford. Shivers.

Absent—Excused.

Blackert. Fellbaum.
Davis.

House Bill No. 85.

Senator Rawlings called up H. B.
No. 85.

Senator Van Zandt sent up the
following:

Amend H. B. No. 85 by striking
out word and figure "three (3)" and
substituting in lieu thereof the word
and figure "two (2)" on page 2,
line 15, of Section 1, and by strik-
ing out the word and figure "five
(5)" and substituting in lieu thereof
the word and figure "three (3)" on
page 2, lines 19 and 20, of Section 1.
VAN ZANDT.

Read and adopted.

Amend H. B. No. 85 by striking
out line 32, page 2, printed bill, the
word "alone," and adding after the
word "provided" the following "The
district judge or district judges giv-
ing consent to the auditor to appoint
an assistant or assistants shall an-
nually have the right to withdraw
such consent, and change the num-
ber of assistants permitted."

ONEAL.

Adopted.

"Amend the caption to conform."

RAWLINGS.

Adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 85 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Oneal.	

Nays—3.

Burns.	Sanderford.
Neal.	

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 306.

Senator Poage received unanimous consent to suspend the regular order and take up H. B. No. 306.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hankamer:

H. B. No. 306, A bill to be entitled "An Act amending Title 116 of the 1925 Revised Civil Statutes of Texas by adding thereto Article 6699b, providing for the appointment, compensation, duties, expense, equipment, and removal, etc., of county traffic officers."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 306 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Sulak.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Senate Bill No. 485.

Senator Regan received unanimous consent to suspend the regular order and take up S. B. No. 485.

The Chair laid before the Senate on its second reading the following bill:

By Senator Regan:

S. B. No. 485. A bill to be entitled "An Act authorizing banking institutions to issue and sell capital notes or debentures; subordinating same to other claims; defining the term "capital" as used in the Banking Laws relating to solvency of state banks to embrace the amount of capital notes and debentures outstanding; providing that the capital stock of a banking institution shall be deemed unimpaired when the amount of said capital notes or debentures as represented by cash or sound assets exceeds any impairment as found by the State Banking Commissioner; requiring any existing deficiency in capital to be paid in cash before retiring said capital notes or debentures and providing for assessment to meet deficiencies in the redemption fund for capital notes and debentures; exempting them from any obligations of such institutions and from any assessments to restore impairment of their capital; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 485 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Hopkins.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Martin.
DeBerry.	Moore.
Duggan.	Neal.
Hill.	Oneal.

Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.
Shivers.	

Nays—1.

Holbrook.

Absent—Excused.

Blackert. Fellbaum.
Davis.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—2.

Holbrook. Oneal.

Absent—Excused.

Blackert. Fellbaum.
Davis.

House Bill No. 201.

Senator Shivers received unanimous consent to suspend the regular order and take up H. B. No. 201.

The Chair laid before the Senate on its second reading the following bill:

By Mrs. Hughes:

H. B. No. 201, A bill to be entitled "An Act repealing Article 307 of the Revised Civil Statutes of Texas, 1925; further providing that said Act shall be effective on and after July 1, 1937."

Amend H. B. No. 201 by adding a new section to be known as Section 3 as follows:

Sec. 3. The importance of this legislation and the near approach of the end of the Session, create an

emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and the same is hereby suspended and this Act shall take the effective date of this Act and it is so enacted.

SHIVERS.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 201 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 579.

Senator Poage received unanimous consent to suspend the regular order and take up H. B. No. 579.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Stanfield, et al.:

H. B. No. 579, A bill to be entitled "An Act making it unlawful for any person to take or catch any fish in the waters of any stream, lake, pool, or reservoir of certain counties in this State during the months of April and May of each year, and declaring an emergency."

Amend H. B. No. 579 by striking out "Collingsworth" and "Childress," where they appear in the bill.

SMALL.

Read and adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 579 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	DeBerry.
Burns.	Duggan.
Collie.	Hill.
Cotten.	Holbrook.

Hopkins.	Redditt.
Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

The Chair recognized the door-keeper with the following message from the House:

Message From the House.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. J. R. No. 46, Proposing an amendment to Article IV of the Constitution of the State of Texas so as to authorize courts having original criminal jurisdiction to suspend the imposition or execution of sentence and to place the defendant on probation, under such regulations as the Legislature may prescribe; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation thereof; and prescribing the form of ballot.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 504.

Senator Stone received unanimous consent to suspend the regular order and take up S. B. No. 504.

The Chair laid before the Senate on its second reading the following bill:

By Senator Stone:

S. B. No. 504, A bill to be entitled "An Act providing for a rural school supervisor, prescribing qualifications and duties of said rural school supervisor, providing for the payment of the salary of said rural school supervisor, in counties having a population of 21,830 to 22,080, according to the Federal Census of 1930,

and a scholastic population of not less than 6,200, as shown by the scholastic census report for the school year 1934-35, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Stone, the constitutional rule requiring bills to be read an three several days was suspended and S. B. No. 504 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

S. O. R. No. 34.

Senator Sulak received unanimous consent to suspend the regular order and take up S. C. R. No. 34.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Sulak:

S. C. R. No. 34, Granting permission to Alma Burch to sue the State Highway Department in Travis County.

Read and adopted.

House Bill No. 328.

Senator Moore received unanimous consent to suspend the regular order and take up House Bill No. 328.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Holland:

H. B. No. 328, A bill to be entitled "An Act to amend Chapter 116, General Laws, Forty-third Legislature, Regular Session, 1933, the same being House Bill No. 122, printed at page 288, General Laws of the State of Texas, passed by the Forty-third Legislature at the Regular Session, 1933, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Van Zandt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 328 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

House Bill No. 680.

Senator Westerfeld called from the table H. B. No. 680.

The pending amendment by Senator Poage was adopted by viva voce vote.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Westerfeld the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 680 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—2.

Martin.	Sanderford.
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Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by viva voce vote.

Votes Recorded.

Senators Cotten and Pace asked to be recorded as voting "no" on final passage of H. B. No. 680.

House Bill No. 907.

Senator Woodruff received unanimous consent to suspend the regular order and take up House Bill No. 907.

The Chair laid before the Senate on its second reading the following bill:

By Messrs. Jones and Thornton.

H. B. No. 907, A bill to be entitled "An Act amending Article 637 of the Penal Code of Texas (1925), by adding thereto another section, to be known as Section 2, which provides that if upon a hearing the justice of the peace, county judge, or district judge before whom the cause is pending finds that the property seized or any portion thereof is used as equipment or paraphernalia for a gambling house and was being used for gaming purposes and that said property is useful and valuable and can be used for legal purposes, he may, in his discretion, by order of the court, declare the same confiscated, and cause the same to be delivered to the State of Texas, or to any political subdivision thereof, or to any State institution for its use and benefit, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 907 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.

Sulak.	Westerfeld.
Van Zandt.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

Recess.

Senator Poage at 11:27 o'clock p. m. moved that the Senate recess until 10 a. m. Saturday. The motion prevailed by the following vote:

Yeas—12.

DeBerry.	Poage.
Duggan.	Rawlings.
Isbell.	Regan.
Martin.	Stone.
Oneal.	Westerfeld.
Pace.	Woodruff.

Nays—11.

Beck.	Moore.
Burns.	Neal.
Cotten.	Sanderford.
Hill.	Sulak.
Holbrook.	Van Zandt.
Hornsby.	

Absent.

Collie.	Shivers.
Hopkins.	Small.
Redditt.	

Absent—Excused.

Blackert.	Fellbaum.
Davis.	

APPENDIX.

Petitions and Memorials.

Navasota, Texas, May 1, 1935.
Bob Barker, Secretary of the Senate.
My Dear Mr. Barker:

Please accept my sincere gratitude to you and the entire Senate for the wonderful honor paid my departed husband. I shall always cherish the beautiful words of respect you paid him and how pleased he would have been.

Thanking you again.

Cordially yours,

MRS. WARD TEMPLEMAN.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 114 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 234 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 326 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled bills have had S. C. R. No. 43 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 52

carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 365 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 527 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 207 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 49 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 354 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 280 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 217 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 264 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 257 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 126 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 30, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 10 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 525 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 524 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 516 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 401 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 405 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 393 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 494 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 513 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 341 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 3, A bill to be entitled "An Act amending Article 924, Penal Code of Texas, 1925, making it unlawful to use certain explosives or other things harmful to fish in any of the waters of this State; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed with committee amendment.

SHIVERS, Chairman.

Committee Amendment.

Amend H. B. No. 3, by adding to the first paragraph of Article 924, after the word "things" the following:

"Or for any other purpose whatsoever, provided however that in event it becomes necessary to place any explosive in waters in connection with construction work, same may be authorized by written order of the county judge of the county where the work is to be done."

SMALL.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 982, A bill to be entitled "An Act making it unlawful to use seines or nets except those of certain dimensions of mesh for taking fish from waters in Bastrop County; providing dimensions of mesh of minnow seines; setting the time for use of such nets or seines; repealing all laws in conflict herewith; providing a penalty for violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 641, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard,

Blanco, Llano, Kendall, or Gillespie counties with any device equipped with more than two hooks, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 983, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined or taken from the waters of the counties of McCulloch, San Saba, Gillespie, Llano, Kendall, Blanco, and Lampasas, and Mason; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 689, A bill to be entitled "An Act to repeal Article 9521-3 of the Penal Code, of the State of Texas, the same being the Acts of the Forty-first Legislature, Second Called Session, Chapter 75, page 150, passed in 1929, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 60, A bill to be entitled "An Act amending Section 3, of H. B. No. 81, Chapter 29, Acts of the First Called Session, Forty-third Legislature and H. B. No. 31 of the Third Called Session of the Forty-third Legislature; providing for commercial fisherman's license, wholesale fish dealers' license, wholesale truck dealers' fish license, retail fish dealers' license in towns of certain population, retail oyster dealers' license, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 175, A bill to be entitled "An Act providing for the gathering of statistical information on the catch of the various marine products along the Texas coast; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 967, A bill to be entitled "An Act to repeal H. B. No. 557, Acts of the Regular Session of the Forty-third Legislature, which provides for a closed season on quail in Archer County, for a period of three (3) years, and prescribing a penalty for violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 845, A bill to be entitled "An Act to prohibit the sale or offering for sale, or the buying of any bass, crappie, perch or catfish, or any other fish taken from the fresh waters of Guadalupe County, and to prohibit the use of net or seine, except a net not exceeding ten (10) feet in length for the purpose of catching minnows for bait, in said county; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 812, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools of this State, in all counties having an area of not more than one thousand and seventy (1,070) square miles and not less than one thousand and sixty (1,060) square miles, and a population of not less than sixty thousand (60,000) and not more than sixty-one thousand (61,000), according to the last Federal Census, authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; to increase or reduce the area of independent and common school districts; create additional districts; consolidate two (2) or more adjacent districts; subdivide any districts; revise or rearrange the boundaries of any district; attach territory thereto or detach territory therefrom and to adjust the district properties and bonded indebtedness against such districts and detached or added territory upon a just and equitable basis, providing a method of apportioning school funds to the respective districts and providing for the election of the county board of school trustees; providing other matters and things necessary and in-

cidental to the main purpose and subject to this Act, whether mentioned in detail in this caption or not; and repealing all laws, General or Special, in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 651, A bill to be entitled "An Act to amend Article 4115, Title 69, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 966, A bill to be entitled "An Act providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than one hundred and seventy-five thousand inhabitants, fixing their duties, salaries, and terms of office, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 418, A bill to be entitled "An Act amending Articles 5168, 5169, 5170 and 5172 of Chapter 6, of Title 83, of the Revised Civil Statutes of the State of Texas, 1925, providing that no female employee

shall be employed in any factory, mill, workshop, mechanical, or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, beauty parlor, barber shop, telegraph, telephone, or other office, laundry, cotton, woolen, or worsted goods manufacturing plant, express, or transportation company, or any State institution, or any other establishment, institution, or enterprise where females are employed for more than eight (8) hours in any one calendar day nor more than forty-eight (48) hours in any one calendar week; providing no female laundry worker shall be employed for more than ten (10) hours in any one calendar day nor more than forty-eight (48) hours in any one calendar week; repealing all of Article 5169, repealing all of Article 5170, amending Article 5172 so as to make certain exceptions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment attached hereto, and be printed.

SHIVERS, Vice-Chairman.

Committee Amendment.

Amend H. B. No. 418, Section 3, Article 5172 by substituting the following:

"Article 5172. Exceptions: The preceding Article shall not apply to telegraph and telephone companies in rural districts and in cities or towns or villages of less than three thousand (3,000) inhabitants, as shown by the last preceding Federal census; nor shall it apply to waitresses and female employees in cafes, stenographers, and pharmacists. In cases of extraordinary emergencies, such as great public calamities or where it becomes necessary for the protection of human life or property, longer hours may be worked, but for such time, not less than double time shall be paid such female with her consent."

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Labor to whom was referred

H. B. No. 419, A bill to be entitled "An Act amending Article 1569, of

Chapter 2, of Title 18, of the Penal Code of the State of Texas, 1925, so as to provide that no female shall be employed for more than eight (8) hours in any one calendar day nor more than forty-eight (48) hours in any one calendar week, and providing that laundries or factories engaged in the manufacture of cotton, woolen, or worsted goods or articles of merchandise manufactured out of cotton goods shall not be exempt from the provisions of this Act; and by adding a new Section to be known as Article 1569-a making certain exceptions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment attached hereto and be printed.

SHIVERS, Vice Chairman.

Committee Amendment.

Amend H. B. No. 419, Section 1, Article 1569-a by substituting the following:

"Article 1569-a. Exceptions: The preceding Article shall not apply to telegraph and telephone companies in rural districts and in cities or towns or villages of less than three thousand (3,000) inhabitants, as shown by the last preceding Federal census; nor shall it apply to waitresses and female employees in cafes, stenographers, and pharmacists. In cases of extraordinary emergencies, such as great public calamities or where it becomes necessary for the protection of human life or property, longer hours may be worked, but for such time, not less than double time shall be paid such female with her consent."

Committee Room,

Austin, Texas, May 3, 1935. -
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 990, A bill to be entitled "An Act requiring a hunting license of all those over seventeen (17) years of age hunting in certain Counties; requiring a fishing license of all those over seventeen (17) years of age fishing in certain counties; fixing the fees for said licenses and the fee to be retained by the col-

lecting officer; providing a penalty for hunting or fishing in certain counties without obtaining the required hunting or fishing license; etc."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute attached hereto in lieu thereof do pass and be printed in bill form.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 832, A bill to be entitled "An Act amending Chapter 302, of the Acts of 1931, Forty-second Legislature, page 759, General Laws of the Regular Session; providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than three hundred and fifty thousand (350,000) inhabitants, fixing their duties and salaries and term of office; providing for additional duties for a juvenile officer and assistant juvenile officers in counties having a population of more than 350,000 inhabitants; providing for the bonding of certain probation officers; and declaring an emergency."

Have had the same under consideration and report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 139, A bill to be entitled "An Act amending Article 1021, Texas Code of Criminal Procedure, of 1925, as amended by Acts, 1927, Fortieth Legislature, Chapter 236, Section 1, relating to salaries and per diem of District Attorneys in all Judicial Districts composed of two (2) or more counties, and providing that such District Attorneys shall receive pay for each day of service in the necessary discharge of their official duties, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 486, A bill to be entitled "An Act providing that a deplorable condition existing in that area of the State included in the Counties of Loving, Reeves, Ward and Pecos, has produced a condition that is declared to be a public calamity and making a grant of funds to Red Bluff Water Power Control District to provide funds to construct a large storage reservoir on the Pecos River for irrigation of the lands within such district and the construction of a hydro-electric plant and providing for the conditions for the payment in handling such funds, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 869, A bill to be entitled "An Act to repeal Senate Bill No. 215, Chapter 47, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 732, A bill to be entitled "An Act amending Section 14, Acts

1927, Fortieth Legislature, First Called Session, page 116, chapter 41, as amended by Acts 1929, Forty-first Legislature, First Called Session, page 7, chapter 4, Section 3, by adding thereto a new Subsection (26), and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 23, A joint resolution "Proposing an amendment to the Constitution authorizing the Legislature to provide for Workmen's Compensation Insurance for employees of the State, and authorizing the Legislature to provide for the payment of premiums on such policies of insurance; providing the State shall never be required to purchase insurance for any employee; providing for the necessary publication and election; making an appropriation to pay for same."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BLACKERT, Chairman.

By Alsop. H. J. R. No. 23.

A JOINT RESOLUTION

Proposing an amendment to the Constitution authorizing the Legislature to provide for Workmen's Compensation Insurance for employees of the State, and authorizing the Legislature to provide for the payment of premiums on such policies of insurance; providing the State shall never be required to purchase insurance for any employee; providing for the necessary publication and election; making an appropriation to pay for same.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article 3 of the Constitution of the State of Texas be amended by adding thereto a new Section to be known as Section 59, to read as follows:

"Sec. 59. The Legislature shall have power to pass such laws as may be necessary to provide for Workmen's Compensation Insurance for such State employees, as in its judgment is necessary or required; and to provide for the payment of all costs, charge, and premiums on such policies of insurance; providing the State shall never be required to purchase insurance for any employee."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State on the first Tuesday after the first Monday in November, 1936, at which election all voters favoring said proposed Amendment shall write or have printed on their ballots the words:

"For the Amendment authorizing the Legislature to provide for the payment of Workmen's Compensation Insurance for employees of the State."

And all those opposed shall write or have printed on their ballots the words:

"Against the Amendment authorizing the Legislature to provide for the payment of Workmen's Compensation Insurance for employees of the State."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have same published as required by the Constitution for Amendments.

Sec. 4. The sum of Five Thousand Dollars (\$5,000) or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State, not otherwise appropriated, to pay the expenses of such publication and election.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 477, A bill to be entitled "An Act amending Article 2982, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration and report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Minutes of Committee Meetings.

A meeting of the Senate Committee on State Penitentiaries was held in the old Secretary's room on Thursday, May 2, 1935, at 2:30 p. m. at which meeting the following members of the Committee were present:

Holbrook, chairman; Burns, vice chairman; Beck, DeBerry, Duggan, Hopkins, Pace, Shivers, Sulak.

The following members were absent:

Rawlings, Redditt, Regan, Hill.

House Bill No. 479 was laid before the Committee for consideration, by the Chair. Motion was made and seconded that the bill be reported back to the Senate that it do not pass. A substitute motion was made that it do pass and be printed. The vote upon the substitute motion was as follows:

"Ayes": Burns, Pace, Shivers.

"Nays": Holbrook, Beck, DeBerry, Duggan, Hopkins, Sulak.

Substitute having failed the original motion that the bill be reported back to the Senate that it do not pass, received the following vote:

"Ayes": Holbrook, Beck, DeBerry, Duggan, Hopkins, Sulak.

"Nays": Burns, Pace, Shivers.

Senator Burns gave notice of minority report.

There being no further business before the committee, the meeting was adjourned, subject to call of the Chair.

HOLBROOK, Chairman

Senate Penitentiaries Committee.

Minutes of Game-Fish Committee.

Held May 3, 1935.

Present: Shivers, Chairman; Holbrook, Small, Cotten, Oneal, Pace, Redditt and Sulak.

House Bills No. 967, 845, 60, 982, 641, 983, 689 and 3, were reported out of Committee favorably by a viva voce vote.

HAZEL AVERY, Secretary.

Committee Reports.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 147, A bill to be entitled "An Act amending Article 974, Title 28 of the Revised Civil Statutes of Texas, 1925, to provide in cases of annexation of territory to a city, that owners of real property and qualified voters who had the right to vote for members of the State Legislature of any territory adjoining the limits of said city shall have the right to vote in said cases of annexation, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 666, A bill to be entitled "An Act making applicable and available to school districts and municipal corporations which have power to levy and/or collect their own taxes all of the provisions of Title 122, of the Revised Civil Statutes of Texas, of 1925, pertaining to the manner of assessment and collection of taxes and enforcement of collection of delinquent taxes together with all liens, rights and remedies therein given to the State and county and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred

H. B. No. 991, A bill to be entitled "An Act amending Sections 2, 3, 7 and 9, of Chapter 101, of the General and Special Laws of the First Called Session of the Forty-third Legislature, said Chapter providing for the creating of a fireman, policeman and fire alarm operators' Pension Fund in certain cities and towns having a paid fire, police and fire alarm operators' department, and

creating a board of trustees for the same and defining the duties and powers of the trustees thereof, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 146, A bill to be entitled "An Act amending Article 1135, Title 28 of the Revised Civil Statutes of Texas, 1925, to provide that when a majority of the inhabitants, owners of real property and qualified voters of any territory adjoining the limits of any town or village, incorporated hereunder, shall vote in favor of becoming a part of said town or village, any three (3) of the said property owning, taxpaying, qualified, voters may make affidavit to such fact and file such affidavit with the mayor of said town or village, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 4, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 65.

Pending business was H. B. No. 65.

House Bill No. 846.

Motion to Reconsider.

Senator Woodruff moved to reconsider the vote by which H. B. No. 846 was finally passed.

The motion prevailed by viva voce vote.